

HOUSE OF REPRESENTATIVES—Thursday, September 29, 1988

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are grateful, O loving God, for those heroes who inspire us, for those leaders who lighten the path, for those prophets who point to the way of truth. As we encounter the struggles and opportunities of our age, may we be blessed by the wisdom of those who have gone before. For their vision and faithfulness, O God, we offer this prayer of thanksgiving. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair would ask the gentleman from Missouri [Mr. SKELTON] if he would kindly come forward and lead the Members in the Pledge of Allegiance.

Mr. SKELTON. Mr. Speaker, I ask that the Members rise and place their hands over their hearts.

Mr. SKELTON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Snowe, one of its clerks, announced that the Senate had passed without amendment, bills, joint resolutions, and concurrent resolutions of the House of the following titles:

H.R. 2952. An act to increase the amount authorized to be appropriated for acquisition at the Women's Rights National Historical Park;

H.R. 4998. An act to amend the Food Stamp Act of 1977 to make technical corrections in the Family Independence Demonstration Project;

H.J. Res. 576. Joint resolution designating February 19 through 25, 1989, as "National Visiting Nurse Associations Week";

H.J. Res. 665. Joint resolution authorizing the hand enrollment of appropriations bills for fiscal year 1989 and authorizing the subsequent, post-enactment preparation of printed enrollments of those bills;

H. Con. Res. 350. Concurrent resolution authorizing the printing of a history of the Committee on Ways and Means; and

H. Con. Res. 361. Concurrent resolution authorizing the printing of the booklet entitled "Our Flag."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 3977), "An act to authorize appropriations for the Mining and Mineral Resources Research Institute Act for fiscal years 1990 through 1993."

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 659) entitled "an act to establish agricultural aid and trade missions to assist foreign countries to participate in U.S. agricultural aid and trade programs, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4481), "An act to provide for the closing and realigning of certain military installations during a certain period."

H.R. 2036, THE STRATOSPHERIC OZONE PROTECTION ACT

(Mr. BATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BATES. Mr. Speaker, this week the EPA released a report which concluded that nothing short of an immediate halt in the use of chlorofluorocarbons can save the stratospheric ozone layer from further depletion.

The report states that even if all the nations participated in the Montreal protocol, an environmental treaty that calls for reducing CFC consumption by 50 percent over 10 years, the concentration of ozone-depleting substances will still double by the year 2075.

During the 1st session of the 100th Congress, I introduced H.R. 2036, the Stratospheric Ozone Protection Act. H.R. 2036 accelerates the timetable for reducing CFC production established in the Montreal protocol. The bill requires a 95-percent phaseout over the next 7 years and would control trade in these substances by U.S. producers and consumers.

I urge all my colleagues to cosponsor this very important piece of legislation.

REQUEST TO MODIFY LANGUAGE IN REPORT OF COMMITTEE ON RULES ON HOUSE RESOLUTION 554, PROVIDING FOR CONSIDERATION OF H.R. 4637, FOREIGN OPERATIONS EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1989

Mr. PEPPER. Mr. Speaker, in the report of the Committee on Rules on House Resolution 554, certain language was inadvertently omitted. To correct this error, I ask unanimous consent that the language contained in the report of House Resolution 554 be modified as follows:

Strike out "is hereby enacted into law:" and insert in lieu thereof: "is hereby enacted into law; *Provided further*, That title I of H.R. 5263 as passed by the House of Representatives on September 20, 1988 is hereby enacted into law:"

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. BUNNING. Reserving the right to object, Mr. Speaker, I do so in order that the distinguished chairman of the Rules Committee may explain exactly what is going on.

Mr. PEPPER. Mr. Speaker, if the gentleman will yield, the explanation is that House Resolution 554 is the rule providing for the disposition of Senate amendment numbered 119 to H.R. 4637, the Foreign Operations appropriations bill for fiscal year 1989. This modification is necessary to make the report consistent with the intended action of the Committee on Rules.

It simply is an inadvertent omission in the rule that we are asking to correct.

Mr. BUNNING. Mr. Speaker, could I at least have a copy to make sure I understand before I remove my objection?

The SPEAKER. Will the Clerk please provide a copy.

Mr. BUNNING. Mr. Speaker, would the gentleman withhold his request until we have a chance to go over this?

The SPEAKER. Will the distinguished chairman of the committee withhold his request for just a few moments? The Chair will take some 1-minute speeches and the gentleman may then renew his request.

Mr. PEPPER. Yes, Mr. Speaker, and I thank the Chair.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

TIME IS RUNNING OUT ON STATE AND LOCAL ANTIDRUG FUNDING

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, I rise to encourage my colleagues to co-sponsor House Resolution 546, which I introduced earlier this week. This bill expresses the sense of the House that a provision in H.R. 5210, the Omnibus Drug Initiative Act of 1988, that changes the current method for allocating funds to State and local jurisdictions should not be enacted into law, and that the current formula should be maintained.

I have been informed by the Bureau of Justice Assistance that fiscal year 1989 grants to local governments will be delayed for up to 20 months pending the accumulation of data necessary to implement the new law.

The new formula will also damage the current State and local fight against drugs as is explained in a letter signed by the National Governors' Association, National Conference of State Legislators, National Criminal Justice Association, and the Police Executive Research Forum.

Mr. Speaker, the new formula contained in H.R. 5210 will delay grants, eliminate statewide strategies and coordination, threaten over 500 multijurisdictional task forces nationwide, and could return federally assisted local antidrug efforts to ground zero. I encourage my colleagues to register their objection to this formula by co-sponsoring House Resolution 546.

THE MINIMUM WAGE

(Mrs. BOXER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOXER. Mr. Speaker, two things happened in recent days that should bring home the message quite clearly to the American people that the Republican Party is no friend of the working family.

The Republicans in the Senate filibustered successfully to block the first increase in the minimum wage since Mr. Reagan took office. The minimum wage is now \$3.35, and under the Democratic plan would go to \$3.75 next year.

Republicans say raising the minimum wage would be inflationary. The same arguments could have been made and were made by the Republicans when the minimum wage was 25 cents, and with that inflation argument perhaps the minimum wage would still be 25 cents per hour.

How about these numbers, Mr. Speaker, are they inflationary?

The income for the chairman of Kmart increased fivefold from 1981 to

1986, while the Limited CEO's income rose more than 200 percent. It was \$3.4 million more for A&P's chairman, and the list goes on and on.

Now, while a mean-spirited Republican filibuster succeeded in the Senate, the Republican Party unveiled their Family Act, just 8 weeks before the Presidential election, and GEORGE BUSH says he wants a kinder, more gentle nation.

Now, what kind of kind and gentle nation will we have if we never even look at raising the minimum wage, if we ignore the 100,000 homeless children and in some places the 50-percent dropout rate in high schools?

I have to say, Mr. Speaker, this is an election year. I hope the people of this country are looking and see who the real friends are of the working family. The real friends of the working family are the Democrats.

LISTEN TO OUR SENIOR CITIZENS

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I would like to take the floor today to publicly thank the ranking member of the Committee on Ways and Means, the gentleman from Texas [Mr. ARCHER] for his "Dear Colleague" letter recently sent to all of us, suggesting radical modification of the recently passed and enacted catastrophic health care bill.

I have a repealer for that same bill that I intend to introduce next week.

All across this Nation senior citizens' voices are rising in a crescendo to say, "Why have we been selected out of all Americans to pay additional income taxes and additional Medicare part B premium taxes for the provisions of this bill? Why have you done this to us?"

That movement started in the Fourth District of Illinois. It started with my senior citizens and it is sweeping the Nation.

I thank the ranking Member for publicly acknowledging the deficiencies of the recently passed and misnamed catastrophic health care bill, because the only thing catastrophic about it was the bill itself, which I deem to be a catastrophe for seniors.

So I encourage you all to sign on to the repealer and mount the pressure, to modify or repeal this very bad concept and go back to work on something that has long-term health care and long-term home health care and long-term nursing care in it as well.

THE REPUBLICAN VICE-PRESIDENTIAL CANDIDATE

(Mr. WILLIAMS asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. WILLIAMS. Mr. Speaker, yesterday Republican Vice-Presidential candidate DAN QUAYLE was in Texas. He visited, he was kind enough to go by and visit a Job Corps center in El Paso, and while there he looked 300 Job Corps students in the eye and said, "We believe in you."

He did not tell them that he had voted to shut that center down. He did not tell them that the Reagan-Bush administration in fact has demanded that every Job Corps center in America, bar none, be closed.

This is the same Senator QUAYLE that supports wars that he won't fight, the same Senator QUAYLE who got into law school under an entry minority program that he later votes against.

There is a word for it, my colleagues, it is called hypocrisy.

Mr. LUNGREN. Mr. Speaker, I ask that the gentleman's words be taken down.

The SPEAKER. The Chair is sorry; what did the gentleman ask?

Mr. LUNGREN. Mr. Speaker, I ask that the words of the gentleman who just appeared in the well be taken down.

The SPEAKER. The words of the gentleman from Montana?

Mr. LUNGREN. That is correct.

The SPEAKER. The Clerk will report the words of the gentleman from Montana.

□ 1015

The Clerk read as follows:

This is the same Senator Quayle that supports wars that he won't fight, the same Senator Quayle who got into law school under an entry minority program that he later votes against.

There is a word for it, my colleagues, it is called hypocrisy.

The SPEAKER. The Chair has considered closely the question of the use of words to distinguish policies as opposed to individuals. There are precedents touching on proper and improper references in debate and dealing with the preservation of comity between the House and Senate. It is important to recognize that the individual referenced in the remarks not only is a candidate for Vice President of the United States but is a Member of the other body.

The precedents relating to references in debate to the President, Vice President, or to a Member of the other body who is a nominated or declared candidate for President or Vice President permit criticisms of official policy, actions and opinions of that person as a candidate, but do not permit personal abuse, do not permit innuendo and do not permit ridicule, and they do require that the proper rules of decorum must be followed during any debate relating to the

President of the United States or a Member of the other body.

It could be argued that there is a distinction between calling an individual a hypocrite, for example, and referring to some policy as hypocrisy, but the Chair has discovered a precedent that seems to be directly in point. In 1945, a Member of the House from Georgia referred to another Member and said, "I was reminded that pretexts are never wanting when hypocrisy wishes to add malice to falsehood or cowardice to stab a foe who cannot defend himself." Speaker Rayburn ruled that this was out of order as an unparliamentary reference to another Member of the body.

By extension, the same identical words should be held out of order in reference to a Member of the other body whether or not he were a candidate for a high office, and under these circumstances and citing this precedent, the Chair would suggest that the gentleman from Montana withdraw the offending remarks, including the particular word "hypocrisy," and either amend his reference in the permanent RECORD or delete it.

PARLIAMENTARY INQUIRIES

Mr. WILLIAMS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WILLIAMS. Mr. Speaker, do I understand correctly that the Speaker's ruling is based upon my characterization of a U.S. Senator, in this case Senator QUAYLE, that had the Republican Vice-Presidential candidate not been at this time a U.S. Senator, that my remarks would, in fact, be in order?

Mr. LUNGREN. Mr. Speaker, that is not a parliamentary inquiry.

The SPEAKER. Let the Chair respond. The Chair would suggest to the gentleman from Montana that there are standards that apply in the Chamber and in the precedents with respect to nominated candidates for President and Vice President. The Chair is not certain if they are precisely the same as applied to a Member of the other body or a Member of this body, but in this instance, it is not necessary to make that hypothetical distinction since the individual involved is a Member of the other body.

Mr. WILLIAMS. Further parliamentary inquiry, Mr. Speaker: Would it be within the rules of the House if the last sentence of my 1-minute, the one which characterizes Senator QUAYLE's actions as hypocrisy, be removed by unanimous consent from my 1-minute statement?

The SPEAKER. The Chair would suggest to the gentleman from Montana that this might be a satisfactory solution.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that the last sentence of my 1-minute statement, the

sentence in which I characterized Senator QUAYLE's actions as hypocrisy, be stricken.

Mr. LUNGREN. Mr. Speaker, parliamentary inquiry.

The SPEAKER. Please, the Chair will recognize the gentleman for a parliamentary inquiry, but, first, please permit the gentleman from Montana to complete his request.

Mr. LUNGREN. Mr. Speaker, my point is—

The SPEAKER. Would the gentleman kindly—

Mr. LUNGREN. I reserve the right to object, Mr. Speaker.

The SPEAKER. That is fine. The gentleman may reserve his right to object, but in the interests of orderly procedure, permit the Chair to allow the gentleman from Montana to complete his request.

Mr. WILLIAMS. Let me be sure the Chair understands my request: I have asked unanimous consent that the last sentence of my 1-minute statement be stricken. That sentence, as I understand it, is the one to which—

Mr. LUNGREN. Mr. Speaker, reserving the right to object—

The SPEAKER. The Chair has not put the question and would remind his distinguished friend from California—

Mr. LUNGREN. Mr. Speaker, the purpose of the rule is to not allow offensive language in the House.

The SPEAKER. The Chair has recognized the gentleman from Montana, and he has the floor.

Mr. LUNGREN. You are repeating the offensive language three times.

The SPEAKER. The gentleman will kindly desist. The Chair will recognize the gentleman in due course. When the gentleman from Montana has completed his request, the Chair will respect the gentleman's right to reserve a right to object.

Has the gentleman from Montana completed his request?

Mr. WILLIAMS. No, Mr. Speaker, I have not. Both times I have been interrupted as I have attempted to ask unanimous consent that the last sentence of my 1-minute statement be eliminated. That was the sentence which referred to Senator QUAYLE's actions as hypocrisy. I seek unanimous consent to strike the last sentence of my 1-minute statement.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

Mr. LUNGREN. Mr. Speaker, reserving the right to object, Mr. Speaker, under normal circumstances and in the interests of comity of this House and the relationship of this House and the other body, I would not object. However, as is very obvious from the statements of the gentleman, the insult, the language that is not to be used under our rules was repeated three times in an effort to make a

point which violates, in my judgment, the sense of the rules of the House and, therefore, since it is not, I believe, appropriate to do that, I object.

The SPEAKER. Objection is heard.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all of the words of my 1-minute statement characterizing Senator QUAYLE's actions as hypocrisy and delineating the three reasons for that be stricken from the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

Mr. LUNGREN. I object; I object, Mr. Speaker.

The SPEAKER. Objection is heard.

TIME TO ACT IS NOW ON INTERNATIONAL CHEMICAL WEAPONS CONFERENCE

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, in his farewell speech to the United Nations, President Reagan rightly called for the convening of an international conference on chemical weapons use and proliferation. The timeliness for this conference has been made tragically clear by Iraq's use of chemical weapons against its Kurdish minority.

In his speech, the President noted the dangerous lack of enforcement and the seemingly casual erosion of the spirit that surrounded the 1925 Geneva protocol. This protocol, which resulted from world condemnation of the horrors of poison gas warfare in World War I, prohibits the use in war of chemical weapons. Notably, Iran and Iraq are both signatories to the protocol.

Unfortunately, it appears that the passage of time has fogged the world's memory of the scourge of these weapons. Weeks after proof that Iraq had bombed its own citizens, many around the world sat in disturbing silence.

President Reagan's call for an international conference is a tribute to his lasting efforts in the pursuit of a peaceful world. The United Nations should respond positively and quickly to lead in ridding the world of these ghastly weapons.

SUPPORTING THE STEEL IMPORT STABILIZATION EXTENSION ACT

(Mr. VISCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKEY. Mr. Speaker, I rise in support of the Steel Import Stabilization Extension Act, introduced today by Mr. MURTHA. Mr. MURTHA's legislation would extend the Vol-

untary Restraint Agreement [VRA] Program which expires on September 30, 1989.

As the U.S. representative for the Nation's largest steel-producing district, I am deeply concerned about the future of the U.S. steel industry and its ability to compete in a changing global market.

For many years, the steel industry helped provide the United States with economic strength and stability. However, it has recently suffered through difficult times. From 1979 to 1984, it sustained losses totaling billions of dollars due, in part, to surges in steel imports.

The current VRA Program has attempted to address the steel import problem by establishing partnerships with participating countries to limit their shipments of steel to the United States.

Under the 1984 act, the provisions specified a range of market share targets for all imported steel products. As a result, steel imports have fallen from a high of 26 percent in 1984 to 21 percent in 1987. Imports currently represent 20.7 percent of the domestic market.

Domestic steel producers and suppliers are benefiting from the program. In 1987, the industry enjoyed its first profit in 5 years.

This recent turnaround experienced by the U.S. steel industry is certainly good news and is evidence of the VRA Program's success. However, given the significant losses sustained by the industry during the last decade, I believe its brief return to profitability demonstrates that this effective program should be extended, not abandoned.

The steel industry is recovering its financial health, but the cold winds of unpredictable markets and a cyclical economy still chill the air. That is why I support the Steel Import Stabilization Extension Act. This act would allow the continued recovery of the domestic steel industry until 1994.

The extension is important to the future of the entire steel industry and most importantly to the individuals who derive their income from it. I am very proud to be an original cosponsor of the legislation.

□ 1030

PERMISSION TO MODIFY LANGUAGE IN REPORT OF COMMITTEE ON RULES ON HOUSE RESOLUTION 554, PROVIDING FOR CONSIDERATION OF H.R. 4637, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1989

Mr. PEPPER. Mr. Speaker, in the report of the Committee on Rules on House Resolution 554, certain language was inadvertently omitted. To correct this error, I ask unanimous

consent that the language contained in the report on House Resolution 554 be modified as follows:

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The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. BUNNING. Mr. Speaker, reserving the right to object, I was the original objector to this and after having seen the amendment, we withdraw our objection.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the amendment to Senate amendment numbered 119, as modified by the unanimous consent request, is as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: *Provided*, That section 514 of the Foreign Assistance Act of 1961 is amended by amending subsection (b)(2) to read as follows: "(2) The value of such additions to stockpiles in foreign countries shall not exceed \$77,000,000 for fiscal year 1989." *Provided further*, That the amendment in the nature of a substitute to the text of H.R. 4645, as ordered reported from the Committee on Banking, Finance and Urban Affairs on September 22, 1988, is hereby enacted into law: *Provided further*, That title I of H.R. 5263 as passed by the House of Representatives on September 20, 1988 is hereby enacted into law: *Provided further*, That purchases, investments or other acquisitions of equity by the fund created by section 104 of H.R. 5263 as hereby enacted are limited to such amounts as may be provided in advance in appropriations Acts.

"CHILDREN'S PROGRAMS: A COMPARATIVE EVALUATION FRAMEWORK AND FIVE ILLUSTRATIONS," A GAO STUDY

(Mr. COATS asked and was given permission to address the House for 1 minute.)

Mr. COATS. Mr. Speaker, today I am releasing a 77-page study from the General Accounting Office titled "Children's Programs: A Comparative Evaluation Framework and Five Illustrations."

GAO has been conducting this study over the last 1½ years. Their analysis has been reviewed by experts from all over the country including major universities such as Harvard and Yale, think tanks such as the American Enterprise Institute and the Rand Corp., the Congressional Research Service, and the Congressional Budget Office.

Most past studies merely publish data that is used to justify increased expenditures for the programs highlighted. While they are interesting to read, they have been of little use to us in Congress who must make the hard trade-off decisions in the budget process.

The Federal deficit was out of control until we passed the Gramm-Rudman Deficit Reduction Act. Unfortunately, while it was necessary, it cuts both good and bad programs across the board.

The GAO report I am releasing today is an important first step toward a logical analysis of what works, what doesn't and why. It is essential to develop such an approach if we are to be able to prioritize our spending based upon facts rather than emotion.

THE 1988 NOBEL PEACE PRIZE AWARDED TO UNITED NATIONS PEACEKEEPING FORCES

(Mr. ATKINS asked and was given permission to address the House for 1 minute.)

Mr. ATKINS. Mr. Speaker, I think all of us were pleased this morning to learn that the 1988 Nobel Peace Prize has gone to the United Nations peacekeeping forces around the world.

It is ironic, perhaps, that there are so many men under arms in various peacekeeping forces under the flag of a body that was meant to render conflict obsolete.

But the award by the distinguished Nobel Committee, a signal of the world's respect for Secretary General Perez De Cuellar, should usher in a new era of reliance by the world's leaders on the United Nations. After 40 years, there is hope that the United Nations, even if it must send armed troops to put a lid on regional conflicts, can fulfill the function it was born to perform.

The Nobel Committee cited the U.N. forces in the Middle East, Cyprus, and the Indian subcontinent for having "played a significant role in reducing the level of conflict even though the fundamental causes of the struggles frequently remain." Although the award went to the peacekeeping forces, it is clear, Mr. Speaker, that the Nobel Committee was also praising the Secretary General for his important work in mediating the Iran-Iraq cease fire, the Soviet withdrawal from Afghanistan and progress in talks on Southwest Africa.

GOVERNING THE HOUSE OF REPRESENTATIVES AND THE NATION

(Mrs. MARTIN of Illinois asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MARTIN of Illinois. Mr. Speaker, it should come as no surprise that on one side of the aisle people will support one candidate for President and on the other side people will support another. It is my hope that this is done with skill and ability. Tactics that are inappropriate to the House do nothing for a candidate and in fact lower the chance for anything to come out of this House of value. But, having said that, that does not mean we cannot talk about delicate subjects and I must ask a question about something that affects our own House.

I am neither a member of the Select Committee on Intelligence or the Select Committee on Ethics, nor do I automatically assume that I know more. But as a Member I am concerned that the Select Committee on Ethics will not be looking at the allegations that do affect the very fiber of this House.

I am also concerned with what we as Members may learn and what we may discuss and how it affects this Nation. That does not show less respect for the office of the Speaker, but how that office is handled should matter to each Member of this House and to this Nation, and that is not partisan politics, that has to do with governing this country.

PRaise FOR VIRGIN ISLANDS' FIRST OLYMPICS MEDAL WINNER

(Mr. DE LUGO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DE LUGO. Mr. Speaker, I am extremely proud to rise today and praise the U.S. Virgin Islands' first Olympics medal-winner.

Peter Holmberg is coming home from Seoul with a silver medal in the Finn Class of the sailing competition.

Peter comes from one of our leading sailing families. His father, Dick, first learned to sail in our waters and has been an enthusiastic competitor and frequent winner in local competitions. He obviously has passed on his knowledge of seas and sails to his sons, Peter and his brother John. I extend my warmest congratulations to Dick and Peter's mother, Louise, as well as Peter himself.

And, of course, there is no better place to hone your sailing skills than the spectacular and scenic waters of the U.S. Virgin Islands. I also want to congratulate the Virgin Islands, Olympic Committee so ably headed by Senator Edgar Ailes.

I know the people of the Virgin Islands are proud to join the ranks of medal-winners in the Olympic games. We already have achieved medal-winning status in the pan-American games, and I am sure the world has

not heard the last from our fine athletes.

(From the Daily News of the Virgin Islands, Sept. 29, 1988)

AN OLYMPIC TRIUMPH

For the first time in the 20 years that Virgin Islands athletes have fielded teams for Olympic competition, a Virgin Islander is bringing home a medal for the territory.

Sailor Peter Holmberg, 28, in a spectacular come-from-way-behind finish, earned a silver in the Finn class competition in Pusan, Korea. This after a 17th place finish in the first race and a premature start in another—two bad races that made Holmberg angry, gutsier than usual, and determined to shine.

And shine he did. He can bask in that glow for a long, long time, and all of us in the Virgin Islands can share in the reflected glory.

Peter Holmberg has done us proud. And he has put us on the Olympic map—no small feat.

Between Holmberg and World Boxing Association junior middleweight champion Julian Jackson, the athletic world is learning that the Virgin Islands is producing world-class competitors.

TRUE MEANING OF SENATOR QUAYLE'S REMARKS

(Mr. PARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PARRIS. Mr. Speaker, I want to address my remarks and the attention of my colleagues to a portion of the comments contained in the unfortunate incident and represented by the words of the gentleman from Montana earlier this morning. He restated and referred to language used by the Senator from Indiana, DAN QUAYLE, yesterday in an appearance in Texas as "we believe in you." The gentleman from Montana immediately assumed that the Senator from Indiana was talking about the programs in which the young people present were enrolled.

I respectfully suggest that the Senator's words were intended to apply to the individual students, as individuals, and as individual people we do believe in them. This difference reflects the usual orientation of the liberal left in this Nation, which is represented in part by the gentleman from Montana.

The Democrats believe this is a great Nation because of all the things that the Government does for its citizens, and we Republicans reject that approach. Republicans believe this is a magnificent Nation because of the freedom and opportunity that our form of government permits us as American citizens to do for ourselves. Therein lies a critically important political difference which is fundamental to this country and its future.

WHAT IS HYPOCRISY?

(Mr. SCHUMER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, I was listening to the interchange before between the gentleman from Montana and my colleagues on this side of the aisle and just my good friend, the gentleman from Virginia, and I began to think, let us say there was an individual, let us call him Joe, who decided that he believed strongly in a war where thousands overseas were dying. Joe decided that instead of enlisting like so many of his contemporaries had done, he would join the National Guard and not have to go overseas and fight. Let us say another gentleman named Sam went to a job training center in one great State of this country. And Sam said he loved these centers and he believed in them, and yet Sam had voted against every act or most every act that created or funded job training centers. Then, let us say another individual, Bill, had opposed affirmative action with every fiber of his body, but when it came to getting into law school, Bill used an affirmative action program to gain admission to that school.

I would ask my colleagues how would they characterize those acts? As acts of principled heroism?

HYPOTHETICAL HYPOCRISY

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, when I was a little tyke romping over the hills and dales of Central Park in New York I learned the expression "there is more than one way to skin a cat." The prior speaker from New York has very cleverly shown this Irishman that there are indeed more ways to skin a cat and I would like to take the opportunity to talk about hypocrisy and read the definition of the word.

"The act or practice of pretending to be what one is not or to have principles or beliefs that one does not have." Now the essence of that is pretending to have principles to which you do not hold.

Suppose there were a Governor from one of our States named Michael and he said that the new Air Force B-2 Stealth bomber was too stealthy to be deployed. But as a politically serious election drew closer, say 45 days, he suddenly changed his mind and said he was for the Stealth. Suppose he called strategic defense a fantasy, a boondoggle, a ghastly waste of money. Yet as he got into the last few weeks of the election cycle, close to election day, he said that, well, maybe we ought to spend a billion dollars on it. Suppose he chose as his running mate somebody who called the young men

□ 1045

and women fighting for freedom in Nicaragua "freedom fighters," but he himself referred to them as "narco agents" and "cut-throats." I do not know, but that guy named Michael might be coming a lot closer to the word hypocrisy, but I will leave that to your good judgment.

FLOODING IN BANGLADESH

(Mr. MOODY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOODY. Mr. Speaker, I rise to call attention to my colleagues to the tragedy, the terrible tragedy in Bangladesh, a tragedy of unimaginable proportions. Flooding in the Ganges River Basin has brought incredible devastation to a nation already one of the world's poorest, a nation that I served in the Peace Corps.

Bangladesh desperately needs speedy and responsive humanitarian assistance from the United States and other nations. The graphic news reports we have seen only begin to describe the damage in that unfortunate country. Seventy-five percent of the entire nation has been under water. More than 28 million Bangladeshis are homeless, and most of the water supply has now been contaminated. Thirty thousand cases of diarrhea and dysentery are reported daily. Authorities fear the spread of epidemic through the relief camps.

Meanwhile, the damage to the rail lines and roads makes distribution of food and medical supplies difficult if not impossible. The real tragedy is that this disaster should strike a country where so many lives are already at the edge of poverty and starvation. The bumper crop expected this year has now been lost and the September planting season for rice is gone. Sadly, this disaster is only the beginning for millions of Bangladeshis.

PASSING OF THE HONORABLE CHARLES JONAS

(Mr. McMILLAN of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. McMILLAN of North Carolina. Mr. Speaker, I rise with sadness to announce the passing of my predecessor, Charles R. Jonas, of North Carolina. He served the Ninth District of that State with distinction from 1952 to 1972. Mr. Jonas passed away yesterday. His funeral will be in Lincolnton, NC, at 2 o'clock on Saturday.

If you would like to get further details please contact my office. I know you will want to join me in extending to his family and friends our deepest sympathy.

QUAYLE'S RECORD SPEAKS FOR ITSELF

(Mr. COLEMAN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLEMAN of Texas. Mr. Speaker, I would only say to my colleagues that you ought not to worry about what Senator J. DANFORTH QUAYLE said or did not say. His record speaks for itself. His votes against the Job Corps centers of America in 1985 and for reductions of them in 1986 prior to the time that he spoke at the No. 1 Job Corps center in America, in my district in El Paso, TX, were well known by the citizens, the employees and the young men and women who are there to find work, to find a skill so they can find jobs in this country.

And so you should not worry about that because the people who count, those that the Job Corps center tries to help and the small businesses who hire these young men and women, knew all along where J. DANFORTH QUAYLE stood.

THE NO. 1 ISSUE IS CRIME

(Mr. LUNGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, since we are discussing a number of different issues on the national level, it seems to me important for us to talk about the No. 1 issue, at least according to the people in my district and, by polls, in the Nation, and that is the issue of crime.

The statement was made during the Presidential debate that the Federal furlough program is the most liberal in the country, suggesting that somehow criticism visited upon the Massachusetts furlough program could be deflected.

Let us just examine that for a moment. In Massachusetts they had a felony furlough program which allowed those who had been convicted of first degree murder and sentenced to life without possibility of parole to get out for 48 hours of unsupervised furloughs; that is, to roam out among the law-abiding citizens of the country in hopes they would come back.

No other program in the country has ever allowed that.

The Federal furlough program does not allow that at all. The Federal furlough program allows people who are within 2 months of the day of release from their sentence, to go out for a specific purpose. That is a far different thing than what the State of Massachusetts under Governor Dukakis did. They allowed people who were

given life imprisonment without possibility of parole as an alternative to the death sentence the right to roam among us for 48 hours in hopes that they would come home.

Who is kidding whom? And is that the philosophy we want brought here to Washington, DC, so that the whole Nation can have done to it what has been done to Massachusetts?

IS THE REPUBLICAN PARTY CONSISTENT?

(Mr. MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. MILLER of California. Mr. Speaker, a number of people have taken the floor today to ask whether or not the Republican Party is consistent in its attitudes and the positions it puts forth to the American public.

We have seen just recently that the Republicans have put forth a Family Act, trying to suggest to the American public that they are for the family. Yet we see Republican Senators leading the attack on parental leave, which would give the right of family members to have some time off from work to take care of a critically ill parent or a critically ill member of their family and not lose their jobs. Yet what we see is an effort led by the Republicans to kill that.

We see the Republicans say the people ought to leave welfare and public assistance, to go out and get an entry level job and make it in their interest.

Yet we see them lead the effort against the minimum wage that would encourage these people to go out and to get off of public assistance.

What we see is hypocrisy throughout this party.

It was talked about later here about the Vice Presidential nominee and we see that not only has he taken two positions on almost every issue confronting the Nation today but we see he has also continued.

He has gone out West, and J. DANFORTH QUAYLE has talked about how Michael Dukakis is going to cut water projects. Then we find out that he led that fight along with President Carter to cut the water projects in the West.

He has accused Michael Dukakis of being weak on defense because Michael Dukakis was against the B-1 bomber.

Now we find out that J. DANFORTH QUAYLE led the fight against the B-1 bomber along with President Carter.

So what we have apparently is a Presidential candidate and a party that he leads that speaks out of both sides of their mouth.

CONFERENCE REPORT ON H.R. 4784, RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT, 1989

Mr. WHITTEN. Mr. Speaker, pursuant to the previous order of the House, I call up the conference report on the bill (H.R. 4784) making appropriations for Rural Development, Agriculture, and Related Agencies programs for the fiscal year ending September 30, 1989, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Pursuant to House Resolution 548, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday, September 28, 1988.)

The SPEAKER. The gentleman from Mississippi [Mr. WHITTEN] will be recognized for 30 minutes and the gentlewoman from Nebraska [Mrs. SMITH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, may I say at this time I wish to thank all my colleagues on the Committee on Appropriations and particularly Mrs. SMITH, the ranking Republican on this subject matter and on the subcommittee, for their cooperation in making this possible today. I also want to thank all members of the subcommittee for their assistance and cooperation.

CONTINUING RESOLUTIONS

May I say I do not know when an Appropriations Committee has faced a more trying situation than we have here.

Contrary to what has been represented from time to time, our Committee on Appropriations on the House side has not been responsible for the two continuing resolutions we have had for the last 2 years, for we did our job on time.

We have done our job in the House. Unfortunately our colleagues on the other side of the Capitol were unable to act in time.

Again, I want to thank all members of the Committee on Appropriations for their hard work and cooperative efforts in making it possible to get these bills through on time. This we have been able to do each year in the House.

CHANGING ALLOCATIONS

Let me repeat to the House some of the things we faced this year. For the RECORD, the House started to mark up the appropriations bills based on the so-called summit agreement. Then the House passed a budget resolution which reallocated summit totals and we were to reduce agriculture by \$400 million. Fifty-three days later, well after the deadline for passage of the

budget resolution, the budget resolution was completed. The final version reduced the total for discretionary domestic spending by an additional \$1.9 billion. That means that of that total of \$1.9 billion, the rural development, agriculture and related agencies bill accepted a \$121 million further cut.

So that means we cut \$400 million, then we had to cut it again by \$121 million.

One week after the budget resolution was adopted, when a copy of the conference agreement became available, we found a change in the scoring conventions that caused an additional \$300 million reduction in agriculture.

When the Senate marked up the bill in committee they cut out an additional \$280 million.

REDUCTIONS NOT APPLIED TO DEFICIT

May I say, Mr. Speaker, that involved in this is the fact that in the last 7 years domestic expenditures have been reduced 38 percent, none of which was used on the debt or on the deficit. Military spending has increased 47 percent, interest on the debt has increased 92 percent, and payments to individuals have increased 27 percent.

May I say, notwithstanding all these problems, our committee has been able to hold the appropriations bills down to the called for level.

In this bill before you we recommend \$10 billion less than fiscal 1988, \$27 million less than the budget request, and \$1.9 million under the 302(b) allocation.

Yet we are able to recommend \$42,512,839,000 in new budget authority.

May I say I do not know what we can do, as to our colleagues and the problems they have on the other side. But the Senate added 146 amendments to the bill with almost 400 issues to be resolved. In practically all instances the Senate added legislation. As you know we do not have jurisdiction over legislation.

SENATE AMENDMENTS

Since I've been chairman and long before, we have tried to cooperate with our legislative committees and on occasion we have carried the load for them with their consent and approval and, at times, their request. But we have tried our best to stay free of having legislation in our bills. But practically every change made on the Senate side was legislative in nature.

Now I had thought that they did not have a rule requiring germanes. I understand however they do have a rule but do not enforce it. At any rate, this matter of having 300 or 400 amendments added in the Senate makes for real problems in conference for House rules require germaness. I am very proud that in our conference we had the cooperation of our friends on the other side. We removed practically all of those amendments except in those

few cases where the legislative committees in the House agreed with us to go ahead.

May I say too that on the amendments added in the Senate created problems for some of our colleagues here from the same State.

So many of the additions made on the other side we have been able to straighten out and thereby protect our House colleagues.

I want to tell my colleagues our committee works on a bipartisan basis.

You will be interested in what we had to do to protect essential domestic programs.

BUDGET REQUEST

This year again we had to restore funds, as against the budget request, for just about everything of any value to the domestic economy.

OUR PROBLEM

In this year's budget request the following reductions have been made by the President's budget for agriculture and for those living in rural areas of our country:

I. PROGRAMS PROPOSED FOR ELIMINATION BY BUDGET, OMB	
Conservation programs:	
Agricultural conservation program.....	\$176,935,000
Great Plains conservation program.....	20,474,000
Water bank program.....	8,371,000
Forestry incentives program.....	11,891,000
Colorado River Basin salinity control program.	4,904,000
	<hr/> 222,575,000
Rural development programs:	
All rural housing loans....	1,845,490,000
All rural grants.....	59,457,000
	<hr/> 1,904,947,000
Farmer programs:	
Conservation loans.....	24,156,000
Rural electrification programs:	
Electrification loans.....	622,050,000
Telephone loans.....	358,875,000
Capitalization of Rural Telephone Bank.....	28,710,000
Reimbursement for interest and other losses.	327,675,000
	<hr/> 1,337,310,000
Research and Extension:	
Animal health grants.....	5,476,000
Urban gardening.....	3,329,000
Farm safety.....	970,000
Financial management assistance and grants to farmers.....	4,777,000
Renewable resource extension.....	2,765,000
Pest management programs.....	7,164,000
Graduate fellowships and Morrill-Nelson.....	5,452,000
Foreign currency research.....	1,500,000
1890's facilities.....	9,508,000
Aquaculture Centers.....	3,500,000

Low-input agriculture	2,100,000
	<u>46,541,000</u>
Child nutrition programs:	
National education and training	5,000,000
Child care audit	9,000,000
Nutrition studies and surveys	2,085,000
	<u>343,887,000</u>
Short-term export credit	2,000,000,000
Animal and plant health:	
Imported fire ant	5,000,000
Noxious weeds	443,000
Golden nematode	1,018,000
	<u>6,461,000</u>
Agriculture marketing:	
Federal-state market improvement program	942,000
Feeding programs:	
Temporary emergency food assistance program	50,000,000
II. SIGNIFICANT PROGRAM REDUCTIONS BY BUDGET, OMB	
Conservation programs:	
Watershed and flood prevention	65,460,000
Watershed planning	1,738,000
River basin surveys and investigations	2,242,000
Emergency watershed protection operations	1,000,000
	<u>70,440,000</u>
Rural development programs:	
Water and sewer loans	80,380,000
Community facility loans	45,700,000
Rural development loan fund	14,000,000
Rural water and waste disposal grants	34,395,000
	<u>174,475,000</u>
Farmer programs:	
Farm ownership loans	405,000,000
Farm insured operating loans	400,000,000
Emergency disaster loans	500,000,000
	<u>1,305,000,000</u>
Research and Extension:	
Expanded food and nutrition education program (EFNEP)	36,524,000
Smith-Lever (3b & c)	13,111,000
Forestry research	4,525,000
Special grants	26,208,000

Critical agricultural materials	4,250,000
	<u>84,618,000</u>

Animal and plant health:	
Boll weevil	11,866,000
Grasshopper/Mormon cricket	5,685,000
Brucellosis eradication	9,776,000
Animal damage control	11,419,000
	<u>38,746,000</u>

Agricultural Cooperative Service	2,308,000
Food and nutrition programs:	
Food stamp program	158,802,000

As I told you, what the budget proposal cut out would not have gone to pay the debt or reduce the deficit—it would have gone to increase other areas at the expense of the domestic programs. Thirty-eight percent has been cut from domestic programs in the last 8 years.

Now we have not gone along with the reductions proposed by OMB but we have done the best we could for every Member, Republican or Democrat.

In this bill we restored items of interest to House Members, we restored Senate reductions in rural housing.

LOWER MISSISSIPPI DEVELOPMENT COMMISSION
We funded the Lower Mississippi Development Commission.

Our relationship with our Committee on Public Works has always been excellent. We have worked together this time and throughout my service. The chairman of that committee and the members, I have no better friends, and we have worked toward the same goal for years. By making it plain we hold general support for the Lower Mississippi Development Commission I made it plain we were tending to our business and not assuming jurisdiction of the legislative committee. I took it up with the chairman of the legislative committee. We have his support and that of his committee.

EXPORT PROGRAMS

There are two or three export programs that are financed here because the law calls for it.

The profit goes to the exporter but the cost of the program is charged to the farmer. Last year \$2 billion of commodities were given to the exporters to do what they have authority to do with the help of section 32 funds. Instead they have used CCC which charges this lost to agriculture.

PROVISIONS OF THE AGREEMENT

The conference agreement recommends a bill: \$10 billion less than fiscal year 1988 (because of CCC); \$27.1 million less than budget request; \$1.9 million under 302(b) allocation; and \$42,539,915,000 in new budget authority.

Senate added 146 amendments, almost 400 issues had to be resolved.

Senate legislation—most removed in conference except items requested by legislative committees.

Restores items of interest to the House Members which the Senate had cut out.

Restores Senate reductions in rural housing.

Fund the Lower Mississippi Development Commission.

Funds the WIC Program at \$1.9 billion, \$125 million more than last year.

Provides \$200 million for the Targeted Export Assistance Program but puts \$30 million in reserve.

Funds the Hunger Prevention Act which was recently passed by Congress.

Earmarks for the Competitive Grants Program have been removed.

Restores the Urban Gardening Program.

May I say for a relatively small amount of money, this program, the Urban Gardening Program, gives our friends and our colleagues and the people of our cities a chance to have knowledge about growing things. You would be surprised how many Members come to us wanting to keep that program. These city gardens are free from vandals, they are a matter of great pride. This program gives to our city Members and interest in this bill.

As far as I know, the committee is united on this bill. We have had a whole lot of problems to solve. May I thank the leadership, too, for their cooperation in enabling us to bring these bills here to the floor.

We are bringing the appropriation bills to you. We have held the line on spending. We have restored basic domestic programs which are so essential and all below the total requested by Presidents' budget.

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Madam Speaker, I am proud of this bill. I am proud of my colleagues for their efforts in working with us to make this possible.

At their point in the RECORD, I will include the detailed tables setting forth the conference agreement.

FISCAL YEAR 1989 RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing and Marketing					
Office of the Secretary.....	1,466,000	1,762,000	1,762,000	1,762,000	1,762,000
Investigation of large payments.....	100,000				
Office of the Deputy Secretary.....	321,000	363,000	363,000	363,000	363,000
Office of the Assistant to the Secretary for Special Services.....	416,000		150,000		150,000
Office of the Assistant Secretary for Administration.....	498,000	467,000	467,000	467,000	467,000
Rental payments (USDA).....	49,665,000	56,407,000	50,659,000	50,659,000	50,659,000
Building operations and maintenance.....	20,024,000	22,429,000	21,297,000	21,297,000	21,297,000
Advisory committees (USDA).....	1,308,000	2,294,000	1,494,000	1,494,000	1,494,000
Hazardous waste management.....	2,000,000	10,000,000	5,000,000	5,000,000	5,000,000
Departmental administration.....	25,004,000	26,542,000	25,862,000	25,922,000	25,922,000
Working Capital Fund.....	5,708,000	6,000,000	5,708,000	4,708,000	4,708,000
Office of the Assistant Secretary for Governmental and Public Affairs.....	347,000	408,000	408,000	408,000	408,000
Office of Governmental and Public Affairs:					
Public affairs.....	7,700,000	7,940,000	7,826,000	7,940,000	7,883,000
Congressional relations.....	497,000	500,000	497,000	500,000	497,000
Intergovernmental affairs.....	476,000	479,000	476,000	479,000	479,000
Total, Office of Governmental and Public Affairs.....	8,673,000	8,919,000	8,799,000	8,919,000	8,859,000
Office of the Inspector General.....	48,795,000	51,442,000	49,541,000	51,442,000	50,491,000
Office of the General Counsel.....	18,734,000	23,064,000	20,594,000	21,079,000	20,836,000
Office of the Assistant Secretary for Economics.....	484,000	447,000	447,000	447,000	447,000
Economic Research Service.....	48,186,000	49,771,000	49,336,000	49,336,000	49,336,000
National Agricultural Statistics Service.....	61,176,000	64,086,000	63,091,000	64,086,000	63,588,000
World Agricultural Outlook Board.....	1,730,000	1,906,000	1,820,000	1,836,000	1,820,000
Office of the Assistant Secretary for Science and Education.....	386,000	432,000	432,000	432,000	432,000
Agricultural Research Service.....	538,884,000	559,157,000	555,755,000	551,657,000	561,581,000
Special fund.....	1,800,000	1,800,000	1,800,000	1,800,000	1,800,000
Buildings and facilities.....	57,815,000	11,000,000	11,000,000	57,385,000	28,350,000
Total, Agricultural Research Service.....	598,499,000	571,957,000	568,555,000	610,842,000	591,731,000
Cooperative State Research Service.....	303,654,000	257,489,000	284,276,000	315,420,000	315,107,000
(By transfer).....				(100,000)	
Extension Service.....	318,336,000	299,542,000	316,880,000	359,012,000	361,370,000
(Transfer from food stamp program).....	(39,627,000)		(39,627,000)		
Total, Extension Service.....	(357,963,000)	(299,542,000)	(356,507,000)	(359,012,000)	(361,370,000)
National Agricultural Library.....	12,194,000	13,599,000	13,446,000	14,682,000	14,268,000
Office of the Assistant Secretary for Marketing and Inspection Services.....	363,000	421,000	421,000	421,000	421,000
Animal and Plant Health Inspection Service:					
Salaries and expenses.....	329,330,000	294,243,000	329,273,000	328,170,000	331,207,000
Buildings and facilities.....	2,246,000	2,847,000	2,546,000	2,847,000	2,546,000
Total, Animal & Plant Health Inspection Service.....	331,576,000	297,090,000	331,819,000	331,017,000	333,753,000
Food Safety and Inspection Service.....	392,009,000	405,680,000	404,954,000	405,680,000	404,954,000
Federal Grain Inspection Service.....	7,020,000	8,255,000	8,115,000	8,255,000	8,115,000
Inspection and Weighing Services (limitation on administrative expenses, from fees collected).....	(36,856,000)	(36,856,000)	(36,856,000)	(36,856,000)	(36,856,000)
Agricultural Cooperative Service.....	4,611,000	2,303,000	4,655,000	4,655,000	4,655,000
Agricultural Marketing Service:					
Marketing Services.....	32,409,000	33,087,000	33,373,000	33,541,000	33,373,000
(Limitation on administrative expenses, from fees collected).....	(30,628,000)	(31,701,000)	(31,701,000)	(34,000,000)	(34,000,000)
Funds for strengthening markets, income, and supply (Section 32) (by transfer).....	(7,601,000)	(7,911,000)	(7,811,000)	(7,911,000)	(7,811,000)
Payments to States and possessions.....	942,000		942,000	942,000	942,000
Office of Transportation.....	2,397,000	1,395,000	2,397,000	2,419,000	2,397,000
Total, Agricultural Marketing Service.....	35,748,000	34,482,000	36,712,000	36,902,000	36,712,000
Packers and Stockyards Administration.....	9,402,000	9,562,000	9,562,000	9,562,000	9,562,000
Total, Production, Processing and Marketing.....	2,308,433,000	2,227,119,000	2,286,625,000	2,406,105,000	2,388,687,000
Farm Income Stabilization					
Office of the Under Secretary for International Affairs and Commodity Programs.....	524,000	413,000	413,000	413,000	413,000
Agricultural Stabilization and Conservation Service:					
(Transfer from Commodity Credit Corporation).....	(610,427,000)	(580,000,000)	(580,000,000)	(580,000,000)	(580,000,000)
Dairy indemnity program.....	95,000		5,000	5,000	5,000
Total, Farm Income Stabilization.....	(611,046,000)	(580,413,000)	(580,418,000)	(580,418,000)	(580,418,000)

FISCAL YEAR 1989 RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT—Continued

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference
CORPORATIONS					
Federal Crop Insurance Corporation:					
Administrative and operating expenses	200,000,000	217,970,000	200,426,000	203,571,000	201,992,000
Federal crop insurance corporation fund	228,523,000	112,000,000	112,000,000	112,000,000	112,000,000
Total, Federal Crop Insurance Corporation	428,523,000	329,970,000	312,426,000	315,571,000	313,992,000
Commodity Credit Corporation:					
Reimbursement for net realized losses ¹	21,133,658,000	9,828,286,000	6,828,286,000	9,828,286,000	8,828,286,000
General Sales Manager (transfer from Commodity Credit Corporation)	(7,157,000)	(7,268,000)	(7,200,000)	(7,268,000)	(7,200,000)
Total, Corporations:					
New budget (obligational) authority	21,562,181,000	10,158,256,000	7,140,712,000	10,143,857,000	9,142,278,000
(By transfer)	(7,157,000)	(7,268,000)	(7,200,000)	(7,268,000)	(7,200,000)
Total, title I, Agricultural Programs:					
New budget (obligational) authority	23,871,233,000	12,385,788,000	9,427,755,000	12,550,380,000	11,531,383,000
(By transfer)	(657,211,000)	(587,268,000)	(626,827,000)	(587,368,000)	(587,200,000)
(Transfer from Sec. 32)	(7,601,000)	(7,911,000)	(7,811,000)	(7,911,000)	(7,811,000)
(Limitation on obligations)	(67,484,000)	(68,557,000)	(68,557,000)	(70,856,000)	(70,856,000)
TITLE II - RURAL DEVELOPMENT PROGRAMS					
Rural Development Assistance					
Office of the Under Secretary for Small Community and Rural Development	440,000	418,000	418,000	418,000	418,000
Farmers Home Administration:					
Rural Housing Insurance Fund:					
Insured loans (loan authorization)	(1,844,420,000)		(1,844,420,000)	(1,693,854,000)	(1,844,420,000)
Site loans (loan authorization)	(570,000)		(570,000)	(570,000)	(570,000)
Collection and servicing contracts (limitation on obligations)	(10,000,000)		(10,000,000)	(10,000,000)	(10,000,000)
Rent supplement authorization (limitation on obligations)	(275,310,000)		(275,310,000)	(275,310,000)	(275,310,000)
Reimbursement for interest and other losses	2,964,249,000	3,660,061,000	3,660,061,000	3,660,061,000	3,660,061,000
Total, Rural Housing Insurance Fund:					
New budget (obligational) authority	2,964,249,000	3,660,061,000	3,660,061,000	3,660,061,000	3,660,061,000
(Loan authorization)	(1,844,990,000)		(1,844,990,000)	(1,694,424,000)	(1,844,990,000)
(Limitation on obligations)	(285,310,000)		(285,310,000)	(285,310,000)	(285,310,000)
Self-help Housing Land Development Fund (loan authorization)	(500,000)		(500,000)	(500,000)	(500,000)
Agricultural Credit Insurance Fund:					
Farm ownership loans (loan authorization):					
Insured	(115,000,000)		(115,000,000)	(75,000,000)	(95,000,000)
Guaranteed	(390,000,000)	(100,000,000)	(454,000,000)	(494,000,000)	(474,000,000)
Total, farm ownership loans (loan authorization)	(505,000,000)	(100,000,000)	(569,000,000)	(569,000,000)	(569,000,000)
Operating loans (loan authorization):					
Insured	(900,000,000)	(500,000,000)	(900,000,000)	(900,000,000)	(900,000,000)
Guaranteed	(2,400,000,000)	(3,500,000,000)	(2,300,000,000)	(3,100,000,000)	(2,300,000,000)
Total, operating loans (loan authorization)	(3,300,000,000)	(4,000,000,000)	(3,200,000,000)	(4,000,000,000)	(3,200,000,000)
Soil and water loans (loan authorization):					
Insured	(11,000,000)		(11,000,000)	(6,000,000)	(11,000,000)
Guaranteed	(3,000,000)		(3,000,000)	(3,000,000)	(3,000,000)
Total, soil and water loans (loan authorization)	(14,000,000)		(14,000,000)	(9,000,000)	(14,000,000)
Indian tribe land acquisition loans (loan authorization)	(2,000,000)		(2,000,000)	(2,000,000)	(2,000,000)
Emergency disaster loans (loan authorization)	(600,000,000)	(100,000,000)	(600,000,000)	(600,000,000)	(600,000,000)
Watershed and flood prevention (loan authorization)	(7,949,000)		(7,949,000)	(7,949,000)	(7,949,000)
Resource conservation loans (loan authorization)	(1,207,000)		(1,207,000)	(1,207,000)	(1,207,000)
State mediation program (by transfer)			(3,000,000)	(3,000,000)	(3,000,000)
Reimbursement for interest and other losses	3,627,153,000	3,467,596,000	3,467,596,000	3,467,596,000	3,467,596,000
Total, Agricultural Credit Insurance Fund:					
New budget (obligational) authority	3,627,153,000	3,467,596,000	3,467,596,000	3,467,596,000	3,467,596,000
(Loan authorization)	(4,430,156,000)	(4,200,000,000)	(4,394,156,000)	(5,189,156,000)	(4,394,156,000)
Rural Development Insurance Fund:					
Water and sewer facility loans (loan authorization)	(330,380,000)	(250,000,000)	(330,380,000)	(330,380,000)	(330,380,000)
Industrial development loans: Guaranteed (loan authorization)	(95,700,000)	(95,700,000)	(95,700,000)	(95,700,000)	(95,700,000)
Community facility loans (loan authorization)	(95,700,000)	(95,000,000)	(95,700,000)	(95,700,000)	(95,700,000)
Reimbursement for interest and other losses	842,682,000	1,607,047,000	1,607,047,000	1,607,047,000	1,607,047,000

¹ Requested in the FY 1988 budget documents as a permanent indefinite appropriation and in 1989 as a current definite appropriation. Senate provides a current indefinite appropriation.

FISCAL YEAR 1989 RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT—Continued

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference
Total, Rural Development Insurance Fund:					
New budget (obligational) authority	842,682,000	1,607,047,000	1,607,047,000	1,607,047,000	1,607,047,000
(Loan authorization)	(521,780,000)	(395,700,000)	(521,780,000)	(521,780,000)	(521,780,000)
Rural Development Loan Fund					
(loan authorization)	(14,000,000)		(6,500,000)	(14,000,000)	(14,000,000)
Rural water and waste disposal grants	109,395,000	75,000,000	109,395,000	109,395,000	109,395,000
Very low-income housing repair grants	12,500,000		12,500,000	12,500,000	12,500,000
Rural housing for domestic farm labor	9,513,000		9,513,000	9,513,000	9,513,000
Mutual and self-help housing	8,000,000		8,000,000	8,000,000	8,000,000
Rural community fire protection grants	3,091,000		3,091,000	3,091,000	3,091,000
Compensation for construction defects	713,000		500,000	713,000	500,000
Rural rental assistance payments (voucher program)		381,600,000			
Rural housing preservation grants	19,140,000		19,140,000	19,140,000	19,140,000
Rural development grants	6,500,000		540,000	6,500,000	6,500,000
Office of the Administrator	600,000		600,000		600,000
Salaries and expenses	407,634,000	420,188,000	414,734,000	415,334,000	414,734,000
(Transfer from loan accounts)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)
Total, salaries and expenses	(411,634,000)	(424,188,000)	(418,734,000)	(419,334,000)	(418,734,000)
Total, Farmers Home Administration:					
New budget (obligational) authority	8,011,170,000	9,611,492,000	9,312,717,000	9,318,890,000	9,318,677,000
(By transfer)	(4,000,000)	(4,000,000)	(4,000,000)	(7,000,000)	(7,000,000)
(Loan authorization)	(6,811,426,000)	(4,595,700,000)	(6,767,926,000)	(7,419,860,000)	(6,775,426,000)
(Limitation on obligations)	(285,310,000)		(285,310,000)	(285,310,000)	(285,310,000)
Rural Electrification Administration:					
Rural electrification & telephone revolving fund:					
Direct loans:					
Insured loans:					
Electric	(622,050,000)		(622,050,000)	(622,050,000)	(622,050,000)
Telephone	(239,250,000)		(239,250,000)	(239,250,000)	(239,250,000)
Total, insured loans					
(loan authorization)	(861,300,000)		(861,300,000)	(861,300,000)	(861,300,000)
Guaranteed loans:					
Electric	(813,450,000)		(813,450,000)	(813,450,000)	(813,450,000)
Telephone	(119,625,000)		(119,625,000)	(119,625,000)	(119,625,000)
Total, guaranteed loans					
(loan authorization)	(933,075,000)		(933,075,000)	(933,075,000)	(933,075,000)
Reimbursement for interest and other losses	327,675,000		327,675,000	341,000,000	341,000,000
Total, Rural Electrification and telephone revolving fund:					
New budget (obligational) authority	327,675,000		327,675,000	341,000,000	341,000,000
(Loan authorization)	(1,794,375,000)		(1,794,375,000)	(1,794,375,000)	(1,794,375,000)
Rural telephone bank	28,710,000		28,710,000	28,710,000	28,710,000
Direct loans (limitation on obligations)	(177,045,000)	(177,045,000)	(177,045,000)	(177,045,000)	(177,045,000)
Rural communication development fund	1,309,000	1,447,000	1,447,000	1,447,000	1,447,000
Rural economic development subaccount				540,000	540,000
Office of the Administrator	155,000		160,000		160,000
Salaries and expenses	30,713,000	22,137,000	31,124,000	31,284,000	31,124,000
Total, Rural Electrification Administration:					
New budget (obligational) authority	388,562,000	23,584,000	389,116,000	402,981,000	402,981,000
(Loan authorization)	(1,794,375,000)		(1,794,375,000)	(1,794,375,000)	(1,794,375,000)
(Limitation on obligations)	(177,045,000)	(177,045,000)	(177,045,000)	(177,045,000)	(177,045,000)
Total, Rural Development Assistance:					
New budget (obligational) authority	8,400,172,000	9,635,494,000	9,702,251,000	9,722,289,000	9,722,076,000
(By transfer)	(4,000,000)	(4,000,000)	(4,000,000)	(7,000,000)	(7,000,000)
(Loan authorization)	(8,605,801,000)	(4,595,700,000)	(8,562,301,000)	(9,214,235,000)	(8,569,801,000)
(Limitation on obligations)	(462,355,000)	(177,045,000)	(462,355,000)	(462,355,000)	(462,355,000)
Conservation					
Office of the Assistant to the Secretary for Natural Resources and Environment		461,000		461,000	266,000
Soil Conservation Service:					
Conservation operations	398,670,000	455,208,000	403,262,000	406,846,000	403,262,000
River basin surveys and investigations	12,051,000		12,051,000	12,051,000	12,051,000
Watershed planning	8,651,000		8,651,000	8,651,000	8,651,000
Watershed and flood prevention operations	165,873,000		172,373,000	172,373,000	172,373,000
(By transfer)	(10,000,000)				
Resource conservation and development	25,120,000	25,020,000	25,120,000	25,120,000	25,120,000
Great Plains conservation program	20,474,000	6,013,000	20,474,000	20,474,000	20,474,000
Water resource management and protection		116,000,000			
Total, Soil Conservation Service	630,839,000	602,241,000	641,931,000	645,515,000	641,931,000
Agricultural Stabilization and Conservation Service:					
Agricultural conservation program	176,935,000		176,935,000	176,935,000	176,935,000
Forestry incentives program	11,891,000		11,891,000	13,000,000	12,446,000
Water bank program	8,371,000		5,000,000	12,000,000	9,000,000
Emergency conservation program	1,000,000		3,000,000	5,000,000	5,000,000
Colorado River Basin salinity control program	4,904,000		4,904,000	6,000,000	5,452,000
Conservation reserve program	1,131,000,000	1,864,000,000	1,864,000,000	572,000,000	1,864,000,000
Conservation reserve program (mandatory)				1,292,000,000	

FISCAL YEAR 1989 RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT—Continued

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference
Total, Agricultural Stabilization and Conservation Service	1,334,101,000	1,864,000,000	2,065,730,000	2,076,935,000	2,072,833,000
Total, Conservation:					
New budget (obligational) authority	1,964,940,000	2,466,702,000	2,707,661,000	2,722,911,000	2,715,030,000
Total, title II, Rural Development Programs:					
New budget (obligational) authority	10,365,112,000	12,102,196,000	12,409,912,000	12,445,200,000	12,437,106,000
(By transfer)	(14,000,000)	(4,000,000)	(4,000,000)	(7,000,000)	(7,000,000)
(Loan authorization)	(8,605,801,000)	(4,595,700,000)	(8,562,301,000)	(9,214,235,000)	(8,569,801,000)
(Limitation on obligations)	(462,355,000)	(177,045,000)	(462,355,000)	(462,355,000)	(462,355,000)
TITLE III - DOMESTIC FOOD PROGRAMS					
Office of the Assistant Secretary for Food and Consumer Services	365,000	406,000	406,000	406,000	406,000
Food and Nutrition Service:					
Child nutrition programs	679,826,000	515,855,000	530,855,000	497,544,000	497,544,000
(Transfer from sec. 32)	(3,817,803,000)	(4,093,272,000)	(4,093,272,000)	(4,093,272,000)	(4,093,272,000)
Total, Child nutrition programs	(4,497,629,000)	(4,609,127,000)	(4,624,127,000)	(4,590,816,000)	(4,590,816,000)
Special milk program	21,500,000	19,925,000	19,925,000	19,925,000	19,925,000
Special supplemental food program for women, infants and children (WIC)	1,802,363,000	1,876,749,000	1,927,362,000	1,929,362,000	1,929,362,000
WIC supplement				30,825,000	
Commodity supplemental food program	50,000,000	47,099,000	53,500,000	50,000,000	50,000,000
Food stamp program	12,678,507,000	12,519,705,000	12,519,705,000	12,690,705,000	12,690,705,000
Nutrition assistance for Puerto Rico	879,250,000	908,250,000	908,250,000	908,250,000	908,250,000
Total, Food stamp program	13,557,757,000	13,427,955,000	13,427,955,000	13,598,955,000	13,598,955,000
Food donations programs for selected groups:					
Needy family program	53,796,000	57,854,000	57,854,000	48,751,000	57,854,000
Elderly feeding program	140,312,000	141,293,000	141,293,000	150,396,000	141,293,000
Soup kitchens				40,000,000	40,000,000
Total, Food donations programs	194,108,000	199,147,000	199,147,000	239,147,000	239,147,000
Temporary emergency food assistance program	50,000,000		50,000,000	47,280,000	50,000,000
Commodity purchases - TEFAP				145,000,000	120,000,000
Food program administration	85,828,000	94,825,000	86,494,000	91,952,000	89,223,000
Total, Food and Nutrition Service	16,441,382,000	16,181,555,000	16,295,238,000	16,649,990,000	16,594,156,000
Human Nutrition Information Service	8,623,000	9,288,000	9,013,000	8,823,000	8,823,000
Total, title III, Domestic Food Programs:					
New budget (obligational) authority	16,450,370,000	16,191,249,000	16,304,657,000	16,659,219,000	16,603,385,000
(Transfer from sec. 32)	(3,817,803,000)	(4,093,272,000)	(4,093,272,000)	(4,093,272,000)	(4,093,272,000)
TITLE IV - INTERNATIONAL PROGRAMS					
Foreign Agricultural Service	92,017,000	89,057,000	92,017,000	100,900,000	95,017,000
Agricultural aid and trade missions	200,000		400,000		400,000
Public Law 480:					
Title I and III - Credit sales:					
Program level	(852,000,000)	(812,000,000)	(817,000,000)	(851,900,000)	(851,900,000)
Direct loans	(749,300,000)	(734,700,000)	(738,000,000)	(773,000,000)	(773,000,000)
Ocean freight differential	(102,700,000)	(77,300,000)	(79,000,000)	(79,000,000)	(79,000,000)
Appropriation	429,596,000	428,200,000	428,200,000	468,100,000	468,100,000
Title II - Commodities for disposition abroad:					
Program level	(630,000,000)	(595,000,000)	(630,000,000)	(630,000,000)	(630,000,000)
Appropriation	630,000,000	595,000,000	630,000,000	630,000,000	630,000,000
Total, Public Law 480:					
Program level	(1,482,000,000)	(1,407,000,000)	(1,447,000,000)	(1,481,900,000)	(1,481,900,000)
Appropriation	1,059,596,000	1,023,200,000	1,058,200,000	1,098,100,000	1,098,100,000
Office of International Cooperation and Development	5,295,000	3,972,000	3,827,000	5,319,000	5,319,000
Scientific activities overseas (foreign currency program)	1,500,000		1,000,000	1,500,000	1,000,000
Total, title IV, International Programs:					
New budget (obligational) authority	1,158,608,000	1,116,229,000	1,155,444,000	1,205,819,000	1,199,836,000

FISCAL YEAR 1989 RURAL DEVELOPMENT, AGRICULTURE, AND RELATED AGENCIES APPROPRIATIONS ACT—Continued

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference
TITLE V - RELATED AGENCIES					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration:					
Salaries and expenses.....	431,234,000	441,424,000	441,424,000	441,424,000	441,424,000
(By transfer).....				(1,000,000)	
Acquired Immune Deficiency activities.....	24,770,000	40,420,000	40,420,000	40,420,000	40,420,000
Buildings and facilities.....	1,450,000	26,450,000	23,950,000	26,450,000	23,950,000
Rental payments (FDA).....	25,612,000	25,612,000	25,612,000	25,612,000	25,612,000
Total, Food and Drug Administration.....	483,066,000	533,906,000	531,406,000	533,906,000	531,406,000
DEPARTMENT OF TREASURY					
Financial Management Service:					
Payments to the farm credit system financial assistance corporation.....		175,000,000	175,000,000	175,000,000	175,000,000
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission.....	32,813,000	35,547,000	33,898,000	35,547,000	34,723,000
Farm Credit Administration (limitation on administrative expenses).....	(35,000,000)	(38,100,000)	(35,000,000)	(35,000,000)	(35,000,000)
Farm Credit System Assistance Board (limitation on administrative expenses).....			(1,352,000)	(2,235,000)	(2,000,000)
Total, title V, Related Agencies:					
New budget (obligational) authority.....	515,879,000	744,453,000	740,304,000	744,453,000	741,129,000
(Limitation on obligations).....	(35,000,000)	(38,100,000)	(36,352,000)	(37,235,000)	(37,000,000)
RECAPITULATION					
Grand Total:					
New budget (obligational) authority.....	52,361,202,000	42,539,915,000	40,038,072,000	43,605,071,000	42,512,839,000
(By transfer).....	(671,211,000)	(591,268,000)	(630,827,000)	(595,368,000)	(594,200,000)
(Loan authorization).....	(8,605,801,000)	(4,595,700,000)	(8,562,301,000)	(9,214,235,000)	(8,569,801,000)
(Limitation on obligations).....	(564,839,000)	(283,702,000)	(567,264,000)	(570,446,000)	(570,211,000)
Title I - Agricultural programs.....	23,871,233,000	12,385,788,000	9,427,755,000	12,550,380,000	11,531,383,000
Title II - Rural development programs.....	10,365,112,000	12,102,196,000	12,409,912,000	12,445,200,000	12,437,106,000
Title III - Domestic food programs.....	16,450,370,000	16,191,249,000	16,304,857,000	16,659,219,000	16,603,385,000
Title IV - International programs.....	1,158,608,000	1,116,229,000	1,155,444,000	1,205,819,000	1,199,836,000
Title V - Related agencies.....	515,879,000	744,453,000	740,304,000	744,453,000	741,129,000
Total, new budget (obligational) authority.....	52,361,202,000	42,539,915,000	40,038,072,000	43,605,071,000	42,512,839,000
Transfer from sec. 32 (Customs Receipts).....	3,825,404,000	4,101,183,000	4,101,083,000	4,101,183,000	4,101,083,000
Total obligational authority.....	56,186,606,000	46,641,098,000	44,139,155,000	47,706,254,000	46,613,922,000
Memoranda:					
Direct and insured loan level.....	4,977,555,000	1,077,045,000	4,970,055,000	4,781,989,000	4,957,555,000
Guaranteed loan level.....	3,821,775,000	3,695,700,000	3,785,775,000	4,625,775,000	3,805,775,000
Transfers from Commodity Credit Corporation.....	610,427,000	580,000,000	580,000,000	580,000,000	580,000,000

Mrs. SMITH of Nebraska. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of the conference report on H.R. 4784, making appropriations for Rural Development, Agriculture, and Related Agencies for fiscal year 1989.

Let me commend my good friend and colleague, the chairman of the full Appropriations Committee and chairman of the Appropriations Subcommittee on Rural Development, Ag-

riculture, and the Related Agencies, Mr. WHITTEN, for his hard work in running the conference and bringing us a bill that I believe the President will sign and that significantly addresses the needs of rural America, yet serves an extremely broad spectrum of constituencies.

I also want to thank the other members of the subcommittee who have worked hard and in a bipartisan manner on behalf of agriculture, and of all rural residents. They truly rec-

ognize the importance of agriculture to the U.S. economy and to the well-being of all Americans. I also want to thank our staff for their dedicated assistance.

With 146 amendments containing over 400 items of disagreement, I am happy to report to you that most of these have been worked out very satisfactorily from the House's and the administration's point of view. Let me stress that we had a very difficult task but after 3½ days of meeting with our

counterparts in the Senate I believe we have a bill that will address the concerns of Members on both sides of the aisle and the needs of the American public.

This year's total new budget (obligational) authority is almost \$10 billion below fiscal year 1988. In fiscal year 1988, our bill had \$56.18 billion in total obligational authority, and this year it is down to \$42.512 billion.

The funding levels of this bill are within the proposed levels in the President's budget—\$27 million below the President's request—and \$1.986 million below the 302b allocation, and the outlay allocation. The bill is in line with last year's budget summit agreement.

Three major programs that were expanded this year include the Women, Infants, and Children Nutrition Program; the Food Safety Inspection Service; and the Food and Drug Administration.

First, the WIC Program has been increased by nearly \$127 million for fiscal year 1989 above the 1988 level and is more than \$52 million above the President's request. This program has proven itself over and over again as one of the most effective methods of improving our Nation's future citizens' health and prosperity.

Unfortunately, funding limitations have prevented us from being able to serve even half of those eligible for the program.

WIC is not the only nutrition program. Other nutrition programs help disseminate information vital to our citizens' health through the Human Nutrition Information Service, and send food for peace to Africa, Asia, South America, and other regions of the world where there is a shortage of food.

We have provided funds to help serve nutritious meals for both the young and the elderly of the United States through programs like the School Lunch Program and the elderly feeding programs under title III of the Older Americans Act of 1965.

Second, the Food Safety and Inspection Service has been increased by more than \$12.9 million above fiscal year 1988 to \$404,954,000. This is a vital program to assure that Americans have meat and poultry products that are wholesome, unadulterated, and properly labeled and packaged. While Americans enjoy a nutritious abundant food supply, we must be ever vigilant to ensure that our meat and poultry products are the best and safest possible.

Third, the Food and Drug Administration's appropriation has been increased by more than \$31 million to \$481,844,000 for fiscal year 1989. The primary goal of the FDA is to protect the consumer by setting standards on food, testing drug safety, conducting research on health hazards, and help-

ing to promote orphan drug development.

Although many important issues are addressed in this bill, none is more vital than providing assistance to our farmers and ranchers. Agriculture has been and will continue to be the backbone of America's economic, military, and political strength.

Unfortunately, the backbone of America has lost over 261,000 farmers and ranchers or 11 percent of the farm population since 1981.

On the other hand, you and I have both heard how much better off our agricultural producers were in 1987. The United States had record net cash farm income totaling \$57 billion in 1987, compared to \$52 billion in 1986 and \$47.3 billion in 1985. Estimates for 1988 earlier this year indicated an income in the \$50 to \$55 billion range, but that was before the drought began to take affect and this level cannot be sustained and will fall in 1988.

But for now the good news is that the CCC needs only \$8.8 billion to restore prior years losses—a substantial drop from \$14.3 billion of a year ago—another positive sign of the improvement in the agricultural economy last year. Also dramatic increased exports are helping to reduce total spending on agriculture.

The number of farmworkers in the civilian labor force is 2.75 million as of April 1988, when added to the 20-plus million workers who support the production and delivery of food and fiber to our citizens, you have the largest single industry in the United States. Agriculture employs as many workers as the transportation, steel, and automobile industries combined.

One of the reasons our country has been able to achieve so much is so little of our family income is used to buy food. In fact, our families spend the smallest percent of their income for food than families in any other country in the world, only 12.3 percent for all food and 7.9 percent for food purchased for use at home. For every dollar spent on food last year, only 25 cents went to the producer.

While at-home expenditures for food averaged a 31 cents return to the farm, away from home food purchases only returned 17 cents. This clearly indicates consumers' ability and willingness to spend more for food for convenience and in conjunction with entertainment.

The annual percentage change in the Consumer Price Index [CPI] for food from 1986 to 1987 increased 4 percent for food purchased away from home and a 4.5-percent increase for at-home food purchases.

Overall, during 1987 retail food prices rose 4.1 percent but this was largely due to a greater difference in the farm-to-retail price spread. In other words, farmers' portion of the food dollar went down.

We have funded \$39.716 million in competitive research grants—down from \$42.37 in fiscal year 1988. We initiated a stratospheric ozone study program—half of the President's request. This is a very important need, and we did our best to fully fund this worthwhile program designed to maintain our planet's ability to protect our food and our lives from the Sun's harmful rays.

Another high priority item is the special research grant program funded through the Cooperative State Research Service. This year, we funded \$41.886 million worth of these very important projects, an increase from fiscal year 1988 level of \$31.18 million.

These projects work on such things as animal health research, aquaculture, dairy research, integrated pest management, rural development, tropical and subtropical research, and wood research. As you can plainly see, this is a very broad spectrum of important research affecting every part of the country.

We have once again had to protect the rural citizen's ability to obtain affordable and adequate electric and telephone service. This bill also continues to help provide much needed rural housing to low-income families.

We have continued with American citizens' desire to protect our valuable natural resources by funding the various conservation programs set up over the years by Congress. Conservation of these resources is priceless when you consider the alternative and is the key to our future.

In addition, we must continue to provide adequate credit and loans to our Nation's farmers, ranchers, and other rural citizens. No program has been better able to work toward that goal than the Farmers Home Administration.

This Agency is responsible for helping to keep youth vitality in our rural areas by providing low cost funds at critical moments in young men's and women's careers.

Not only are rural people helped in starting their productive lives, but the FmHA in many instances has kept farmers and ranchers in business when nothing else stood between them and the road to foreclosure and bankruptcy.

I have outlined just a few of the important activities and agencies funded by the Rural Development and Agricultural appropriations bill. We provide as much funding for nonfarm residents and programs that serve all our citizens as we do farm programs.

For Nebraska, I thank the chairman and the other member of the subcommittee for protecting the following amendments targeted for my State: \$335,000 for the Meat Animal Research Center to expand and equip the swine research facility; \$250,000 for a

University of Nebraska feasibility study and preliminary planning for the Center for Advanced Technology in Lincoln, NE; \$40,000 to the Cooperative State Research Service [CSRS] for grants to conduct research on making plastics from cornstarch; \$68,000 for milkweed research as a substitute for imported goosdown insulation in the alternative crops division of the CSRS appropriation; report language asking the USDA to determine future expansion of the swine research facilities at the Meat Animal Research Center in Clay Center, Nebraska; \$75,000 to CSRS to complete research for the integrated reproductive management program; \$100,000 for the Sandhills grazing management program at the Gudmanson Ranch near Whitman, Nebraska; \$418,750 for the Ag-In-Transition Program operated under section 1440 of the farm bill; this is Nebraska's share of \$3.35 million divided among Nebraska, Iowa, Missouri, North Dakota, Kansas, Oklahoma, Mississippi, and Vermont; \$65,000 to CSRS to continue the crambe and rapeseed research project; \$190,000 to the Extension Service for the Managing Mainstreet Business Program, and \$47,000 to the Extension Service for the Integrated Reproductive Management Education Program.

I urge you to support the conference report on H.R. 4784, the Rural Development, Agriculture, and Related Agencies Appropriations bill for fiscal year 1989.

Conference Agreement

President's budget request:
 New budget authority \$42,539,915,000
 Total budget authority ... 46,641,098,000

Amount in the bill:
 New budget authority 42,512,839,000
 Total budget authority ... 46,613,922,000

Amount under President's budget 27,076,000

	Budget authority	Outlays
301(b) allocation	\$14,787,000,000	\$9,209,000,000
Amount in the bill	14,785,014,000	9,169,422,000
Amount under 302(b) allocation	1,986,000	39,578,000

Mr. WHITTEN. Madam Speaker, I yield myself such time as I may consume, and I yield to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Madam Speaker, I rise in support of the conference report.

Once again, Madam Speaker, the chairman and the members of the Committee on Appropriations and the Subcommittee on Agriculture and Rural Development have done a magnificent job in fending off efforts to diminish or destroy programs of the Soil Conservation Service, the Farmers Home Administration, the Rural Electric Administration, and other programs that mean so much in the

preservation and enhancement of the quality of life in rural America.

Madam Speaker, I particularly appreciate the chairman's patience and forbearance in hearing my concerns and those of my colleagues on the other side, for instance, Senator BUMPERS' in recent days about the Senate amendment that was brought back in true disagreement which concerns a matter of importance to the rural electric cooperatives in Arkansas. The Arkansas Rural Electric Cooperative is attempting to finance the construction of a hydroelectric powerplant on the Arkansas River in order to bring cheaper power to the ratepayers in its system, and in conjunction therewith to prepay loans to the Federal Financing Bank without penalty in the amount of about \$120 million. The interest penalty involved would amount to some \$12 million.

It is my understanding that the administration has objected strenuously to this effort to prepay loans without penalty to the Federal Financing Bank, and that it would propose a veto of this bill in the event that amendment should be agreed to by the Congress.

Let the record show that the effort being made by the Arkansas Rural Electric Cooperative is for the purpose of lowering the cost to its ratepayers by the amount of the proposed prepayment to the Federal Financing Bank. The administrator's refusal to accept this amendment will thwart an effort to save ratepayers in rural Arkansas \$11,000 per day. I regret that no accommodation could be reached on this issue, but I understand the concerns of the committee chairman that have been presented as a result of the administration's position.

I would simply ask of the chairman, if I could, on behalf of supporters of this and other projects that wish to avail themselves of the cheapest financing avenues available in order to lower costs to ratepayers in the rural electric system, if he would advise us as to what avenues he would recommend they pursue in order to address this very important and vital matter.

Mr. WHITTEN. Madam Speaker, may I say that the gentleman from Arkansas [Mr. ALEXANDER] and I have worked together through the years, certainly for the REA and various other things, where the Federal Government is trying to meet local needs throughout the country.

However, this is an issue that, from the viewpoint of the executive branch, has been resolved. I, like the gentleman from Arkansas, have urged that we try to get the right of our REA cooperatives to pay off all their loans. Two years ago, they got a bill through on the other side, which we managed to catch onto here, in which it enabled the folks to pay off their loans, but if they did they could not borrow any

more money from the Government. They said it applied only to the State of Alaska, but when you read it, the bill applied to everyone. Well, we stopped that by limiting it to Alaska only. But 2 years ago, when we had the continuing resolution, we had this out with Secretary Baker. He insisted—and I quote what he said—"that in the process we would be endangering the operation of the Federal Financing Bank." That was his side of the argument. We insisted otherwise. But we did provide that, as approved by the Congress, up to \$2 billion of debt could be refinanced.

Now, the decision as to who could and who could not was left up to Secretary Baker, working through the Federal Financing Bank. From the letter that Mr. Miller sent us today, it seems they have limited it to those who are in financial need.

So the point of it is that if we want to do it, we would be, from their viewpoint, renege on what has been settled between the committee acting for the House and Mr. Baker, who was Secretary of the Treasury. I think it would be an invitation to veto the bill because the agreement was made, signed by both parties, and approved by the Congress.

So sooner or later we can go after that agreement, but to just set it aside in this appropriations bill would be a mistake, and I shall oppose it. There is some merit to the fact that this matter was settled and this amendment would reopen it.

Mr. ALEXANDER. Madam Speaker, I appreciate the gentleman's response, and I would hope that next year, when Congress reconvenes in the 101st Congress, it can examine the problems that are created by the financing that is presently on the books at higher rates of interest, in hopes that the authorization process can accommodate the concern of ratepayers in the rural electric cooperative system. I feel that with the cooperation and leadership of the chairman and members of this committee we can find a resolution of this most difficult problem.

Mr. WHITTEN. Madam Speaker, I thank my colleague for his statement. May I say that when somebody owes you money, you had better accept it when you can get it.

Mr. ALEXANDER. That sounds like good advice.

Mr. WHITTEN. Madam Speaker, we have been tied down by an agreement that has been reached before.

Madam Speaker, I reserve the balance of my time.

Mrs. SMITH Of Nebraska. Madam Speaker, I yield such time as he may consume to my good friend, the gentleman from Massachusetts [Mr. CONTEL], vice chairman of the full Committee on Appropriations.

Mr. CONTE. Madam Speaker, at the outset, let me say that I support this Agriculture appropriation conference report. I want to congratulate the chairman of the committee, the gentleman from Mississippi [Mr. WHITTEN], and our ranking minority member, the gentlewoman from Nebraska [Mrs. SMITH], for the yeoman service they performed in bringing this bill out, and I also congratulate all the members of the subcommittee for slogging through a bill that, by the end of it, seemed less like Agriculture bill than an agony bill.

The Senate added more amendments to this bill than sides of bacon in a smokehouse.

There were more banks than Wall Street—water banks, food banks, off-budget banks, and river banks.

And if you thought you'd seen everything, just wait till you get to the contact lens provision.

But I want to talk about something serious, that's sure to set this whole place buzzing.

As my favorite philosopher once said, "Isn't it funny how a bear likes honey?"

Well, I'm not here to pooh-pooh our Nation's pollination efforts, but I am here to tell you of the efforts we've made to keep our taxpayers from becoming poor-poor.

All of you know how that story ends, with the bear getting so greedy he gets his head stuck in the honey jar.

For years we've had a swarm of hungry honey bees feeding off the nectar of sweet Federal funding.

Over the past years, they've had unlimited ceilings on subsidies the honey producers could cream from the crop. Year after year, we've tried to smoke them out of "hiving," but when we zigg they zag; when we buzz they bizz.

People are worried about the killer bees coming from South America. Well, I'm not worried at all, because they'll be no match for the killer honey producers who attack at the whiff of a cut in their sweet "subsi-bees".

This year, Madam Speaker, we've tried to work it out. I originally proposed limiting the amount of loans that could be given for honey to \$250,000. We worked with the Agriculture Committee to work out a compromise to limit forfeitures to \$250,000. I would like to thank Mr. DE LA GARZA and Mr. MADIGAN and their staffs for their help. From now on, any honey producers who forfeit more than \$250,000 will have to pay it back.

That compromise was basically adopted in conference. Some modifications were made, which we hope did not create any unintended loopholes, but you know as well as I that as soon as this bill is passed, those honey producers will be combing for ways around the limit.

But my intention, as it has been for years, is to put a limit on just how much free lunch these honey producers can get.

There are about a dozen honey producers who've been receiving between \$500,000 and \$1 million in subsidies every year. It is my intention to put that to an end with this amendment.

Furthermore, there is broad regulatory authority to restrain any attempts to get around this limit. It is my intent, as the author of the amendment, that the Secretary of Agriculture, pursuant to new section 405A(d) of the Agriculture Act of 1949, may require a honey producer to furnish a bond or other financial assistance to protect the interests of the United States—Commodity Credit Corporation—in the event the producer fails to repay a honey loan. But if any abuses show up, or these limits on subsidies turn out not to be sufficient, we will be back.

It is my hope that from this day forward it can be said that there is no funny business in the honey business.

Mrs. SMITH of Nebraska. Madam Speaker, I yield 2 minutes to my good friend, the gentleman from Minnesota [Mr. WEBER], who is a member of the committee.

Mr. WEBER. Madam Speaker, as a member of the subcommittee, I rise in support of the conference report, appropriating funds for the Department of Agriculture and related agencies for the next fiscal year. With a lot of hard work and effort, we are able today to present a bill that meets the budget targets, while protecting the critical programs and agencies administered by the Department of Agriculture. It was not an easy task. The bill overall is substantially below last year's level by about 20 percent. Most agencies are funded at last year's level, and in some cases had to endure reductions.

Given the tight budget targets we had to meet, I want to commend Chairman WHITTEN and Congresswoman SMITH for their tireless work and effort on this bill. It's been a difficult year and I want to complement them for all the cooperation and patience they've shown throughout the appropriations process.

While this bill will not accomplish all that is needed, it does contain a number of important initiatives that will help build a healthy and prosperous future for rural America.

First, I am pleased that funds were available to start a number of research projects in ag utilization. This is an exciting field which holds a great deal of promise for all agricultural producers. Developing biodegradable corn-based plastics and soybean ink—to name only two examples—will directly help farmers by providing new markets and new uses for their products. This is not only good news for farmers but good news for the environment, be-

cause in many cases the new product being developed will help reduce environmental pollution. I am particularly pleased that our subcommittee was able to promote ag utilization by initiating a Federal-State partnership with the Greater Minnesota Corp., a public-private entity which has established an agriculture utilization institute. Federal money will be leveraged with State and local money to undertake a number of research projects.

I am also encouraged that we have been able to continue our research commitment to low-input agriculture, finding ways to limit fertilizer use and lower farmers' input costs. As we know, ground water contamination is an increasing concern. By developing innovative farming techniques and using emerging computer technologies, we can reduce the damage to the environment and increase farm profitability.

Finally, I am glad that we are able to continue our work on rural development to help strengthen and diversify the rural economy. My own State of Minnesota had been very active in this field through its extension service. Among a number of rural development initiatives, some Federal funding is available to augment their efforts.

The challenges facing rural communities are immense and this bill will address only a part of their needs. But it is a good, solid bill, and I urge its support.

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Mr. WHITTEN. Madam Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. TRAXLER].

Mr. TRAXLER. Madam Speaker, I wish to commend the distinguished chairman, the gentleman from Mississippi and the distinguished ranking minority member, the gentlewoman from Nebraska [Mrs. SMITH]. I commend them for the fine work they did in the course of the conference with our colleagues from the other body.

This is a bill that is fair to the producer, it is fair to the consumer, it is fair to the American taxpayer, and deserves all our support.

I might note that the gentleman from Mississippi [Mr. WHITTEN] has chaired this subcommittee since 1949, with the exception of 2 years when the other party was in control. I know of no person in this body or in the other body who has done more for American agriculture. If there is any one thing that this bill stands for, it is total and complete dedication to the American farmer and rural America.

Madam Speaker, I rise in support of the conference report to accompany H.R. 4784, the fiscal 1989 appropriations for rural development, the Department of Agriculture, and related agencies. We bring before you an

agreement that is fair to the concerns of the House—both in terms of the appropriate funding levels for the programs contained in this agreement, and in terms of compliance with responsible budget limitations.

I want to again offer my compliments and thanks to our chairman, the gentleman from Mississippi [Mr. WHITTEN], for his outstanding leadership and his steadfast support of the concerns of the House.

Madam Speaker, I want to emphasize just a few items contained in this agreement insofar as they impact my State. I covered many items in detail when we originally considered some time ago the bill that led to this conference agreement, and I want to address myself to a limited number of matters impacted by the conference.

In the appropriation for buildings and facilities for the Agricultural Research Service, we have provided \$1.25 million for planning funds for a Food Toxicology Center at Michigan State University. This center has been under study for several years, and the amount we include will begin the construction planning process. The State of Michigan has already contributed a great deal of funds through facilities and general support items, so there should be no question about Michigan meeting the 50 percent matching principle that we have been requiring for projects of this kind.

It is important to remember that we still do not have a central research facility for the study of toxic items in the food chain. We have to be prepared to move away from a crisis response mechanism and toward an "already prepared" mechanism. This facility will move us in that direction.

Within the budget for the Cooperative State Research Service, we provided \$1.75 million for the Michigan Biotechnology Institute. This funding is for research work on the use of biotechnological techniques in processing and manufacturing products derived from commodities. There has already been more than \$20 million put into this institute by the State of Michigan and private industry. With MBI's state-of-the-art facility, it is ready to move ahead with specific research projects, and does not require any waiting period for the construction of a facility.

Within the Human Nutrition Information Service, the conference agreement repeats the statutory roles of this agency of the Department of Agriculture relative to other Federal agencies. This language is intended as a very clear directive of how human nutrition matters should be reviewed, and is a definite signal that we will continue to closely monitor this matter.

While the conference agreement funds the Commodity Supplemental Food Program at the Senate level of

\$50 million, this does not reflect a reduction of support for this program. There will be a \$10 million carryover of fiscal 1988 funds to fiscal 1989, creating a total dollar available amount of \$60 million. We had not known of the scope of this carryover at the time of approving the House funding level of \$53 million.

With the dollars that are available, there is room for program expansion at new and existing sites, including expanding to additional locations in the State of Michigan as provided for in House Report 100-690. This direction for expansion is complemented by the language in Senate Report 100-389, calling for expansion of both the mother, infant and children, and elderly components of this program at both new and existing sites.

Madam Speaker, this is a responsible appropriations agreement before us, and it deserves the support of all of our colleagues.

Mr. WHITTEN. Madam Speaker, I yield such time as he may require to my colleague, the gentleman from Mississippi [Mr. ESPY].

Mr. ESPY. Madam Chairman, I do not want to take a long amount of time, but I certainly want first of all to echo everything that has been said about my colleagues from the First District of Mississippi and our chairman of the Appropriations Committee, the gentleman from Mississippi [Mr. WHITTEN] for his leadership in bringing this conference report to this body. I think it is a good report. I would like to suggest to my colleagues that they pass this report and I certainly endorse it.

The chairman has worked diligently and hard for the interests of the American farmer and for agribusiness.

Madam Chairman, this is a good conference report.

I want to call the attention of my colleagues to three elements of this bill. One is the key program of the Targeted Export Assistance Program, which continues to allow us to promote our products in overseas markets. This program has proven itself and we continue the funding for the TEA Program within this conference report.

The second is the farm mediation bill that allows us to address the needs of farmers throughout the country with regard to their credit needs and their credits interests. This is also a matter which has been extended and is addressed in this conference report.

The third, Madam Speaker, in conclusion, is the ability to create something called a Lower Mississippi Delta Commission, which is a nine-member Commission which will address the serious and very crucial need within seven States on regional economic development and poverty.

So Madam Speaker, this is a good bill. It is a good conference report and

I would like to ask the body to pass it, and again let me thank our chairman for his leadership and diligence.

Madam Chairman, I appreciate the opportunity to add to my comments in favor of this thoughtfully crafted and negotiated conference committee report on H.R. 4784, the 1989 Rural Development, Agriculture, and Related Agencies appropriation bill. The esteemed and distinguished chairman of the Appropriations Committee must be commended on his leadership. I am proud to be a delegation colleague of Chairman WHITTEN.

This conference report contains funding for several very important programs affecting rural America, and will have a significant positive impact on my rural Mississippi delta region. The Targeted Export Assistance [TEA] Program has received an appropriate increase under this conference report. I believe the \$200 million, which includes \$30 billion of discretionary money for the Secretary of Agriculture, will go a long way toward expanding foreign markets for products that suffer barriers and unfair trade practices abroad. In my district, cotton, soybeans, and more recently, farm-raised catfish, are being promoted in foreign markets with industry funds matched with TEA money. My district produces 95 percent of farm-raised catfish for the U.S. market, and with the help of the TEA Program, I believe we can develop and maintain new markets abroad.

The Agricultural Credit Act of 1987 provides for matching Federal funds for qualified State mediation programs. Federal support for State mediation programs is a step in the right direction and helps secure the economic health of many farm communities. The Secretary of Agriculture shall pay to a State not more than 50 percent of the cost of the operation and administration of the agricultural loan mediation program within the State.

You are aware of the agricultural credit problems facing our farmers and rural lending institutions. Both farmers and creditors will continue to face severe financial pressures as a result of this year's drought. These State mediation programs can contribute to alleviating some of these severe pressures. I believe the funding provided in this conference report is essential to the successful implementation of the Agricultural Credit Act of 1987.

Madam Chairman, enactment of H.R. 5378, the Lower Mississippi Delta Development Act is more than just meaningful to the people of that region. It is new hope and a chance to join the rest of America in sharing the economic pie of this great Nation. Chairman JAMIE WHITTEN has taken the initiative to guide his Appropriations Committee to look at impoverished towns such as Tunica, MI. His

leadership in this regard and others endears all Mississippians.

I especially appreciate the Chairman's willingness to include in this legislation compromise language enacting and funding the Lower Mississippi Delta Development Act. In adopting the motion, with respect to Senate amendment No. 75, to recede and concur with a further House amendment, we are incorporating by reference and enacting the provisions of H.R. 5378, introduced on September 26 by Chairman WHITTEN, Ms. OAKAR, and me, and the provisions of S. 2836, identical legislation introduced by Senator BUMPERS on September 27. These two bills we are referencing are in turn compromise versions of H.R. 4373, which I and others introduced earlier this year, and S. 2246 introduced by Senator BUMPERS and others on March 31, 1988.

Other critical legislative history can be found in the transcripts of the hearings held in both the Senate and the House on S. 2246 and H.R. 4373 on June 28, 1988. Joint hearing by Committee on Environment and Public Works and Committee on Small Business of the Senate on S. 2246, and hearing by Subcommittee on Economic Stabilization of the House of Representatives on H.R. 4373.

The legislative language of H.R. 5378 and S. 2836, the identical bills we are enacting as a part of this Agriculture Appropriations bill, is the product of negotiations among relevant committees of both the House and Senate, primarily the Environment and Public Works Committee of the Senate, the Economic Stabilization Subcommittee of the House, and the Agriculture Appropriations Subcommittees of both the House and Senate.

In working out this compromise, I want to especially thank Representatives WHITTEN, OAKAR, ANDERSON, and ST GERMAIN and Senators BUMPERS, BURDICK, COCHRAN, and BREAU.

This legislation is a critical first step toward bringing together the local, State, and Federal governments and the private sector to work to alleviate the poverty of the lower Mississippi Delta area. It establishes a nine member Commission composed of one member appointed by the Governor of each State and two members appointed by the President. The Commission is required to identify and study the problems of the region and to prepare a 10-year plan that recommends ways to promote economic development in the region. It is intended that the Commission's report will form the basis for programs and policies adopted by all levels of Government directed at the development of the lower Mississippi River.

Authorizing committees in both the House and Senate have acted on the earlier bills, S. 2246 and H.R. 4373, on which this legislation is based. On

August 10 the Committee on Environment and Public Works reported S. 2246 with an amendment. On September 14, the Economic Stabilization Subcommittee of the House Committee on Banking, Finance and Urban Affairs reported an original bill, H.R. 5283, which was based upon H.R. 4373.

The lower Mississippi Delta region follows the course of the Mississippi River and stretches from southern Illinois to the delta of the Mississippi River and the Gulf of Mexico. The 187 counties in the 7 States—Illinois, Missouri, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana—that make up the region are the home of more than 11 million Americans.

The lower Mississippi River valley is the poorest, most underdeveloped region in the United States, ranking lowest in almost every economic and social indicator. According to the Congressional Research Service, all but three counties in the region are well below the national average in terms of measurable poverty—that is, the number of people below the poverty line, per capita income, and unemployment.

Tunica County, MS, for example, is the poorest county in the Nation. Almost 53 percent of its citizens live below the national poverty level. The per capita income is \$6,643, or 48 percent below the national average. In Lee County, AR, 44.3 percent of the population lives in poverty, with a per capita income of just \$6,542. In Madison Parish, LA, 42.7 percent of the population lives below the national poverty level; in Lake County, TN, the comparable figure is 31.3 percent. Similar statistics abound throughout the region.

The poverty in the region is reflected in the statistics for education and health. Since 1900, Louisiana and Mississippi have consistently ranked first and second in illiteracy and Arkansas has ranked in the top 10. Louisiana, Mississippi, Tennessee, and Kentucky are all among the worst States in terms of the public school dropout rates, in excess of 30 percent. Per pupil spending rates are also among the lowest in the country. Arkansas ranks 45th, Tennessee ranks 46th, Kentucky ranks 48th, and Mississippi ranks last.

With respect to health, Mississippi and Arkansas ranked first and second in teen pregnancy rates in 1985. Louisiana, Mississippi and Arkansas ranked in the worst one-fifth of all States in their infant mortality rates, far in excess of the national average of 10.6 deaths per 1,000 live births.

This data clearly highlights the hardships faced by the people who inhabit the lower Mississippi Delta region. The Commission established by this legislation will be required to identify and study the specific problems of the region that perpetuate

these hardships and prepare a 10-year plan with recommendations to address the problems of the area.

Although the legislation does not give the Commission authority to implement its recommendations, it is the intent of the sponsors that the State and local government entities in the area and Federal Government will rely principally on the Commission's report when developing legislative and executive initiatives that address the problems identified by the Commission.

SUMMARY OF MAJOR PROVISIONS

The legislation establishes the Lower Mississippi Delta Development Commission to study the economic development problems of the lower Mississippi River Delta. The Commission is to be composed of nine members, one member appointed by the Governor of each State and two members to be appointed by the President.

The Commission is to remain in effect for 2 years from the date of its first meeting. An interim report of the Commission's activities is required within 9 months after the first meeting of the Commission and a final report is expected within 18 months after the first Commission meeting. The Commission is to remain organized for an additional 120 days after the final report is issued in order to answer questions or to conduct further studies required to carry out the purposes of the act.

The Commission is directed to identify and study the economic development, infrastructure, employment, transportation, resource development, education, health care, housing, and recreation needs of the lower Mississippi region and develop a 10-year plan that recommends and establishes priorities to alleviate the needs identified by the Commission. The Commission is directed to study and report on the specific problems that are enumerated by the legislation, and to make recommendations for solving such problems. In addition, the Commission may study, report, and make recommendations on other issues it determines are relevant to economic development.

SECTION-BY-SECTION ANALYSIS OF H.R. 5378 (AND COMPANION S. 2836)

SECTION 1. SHORT TITLE

This section provides that this legislation may be cited as the "Lower Mississippi Delta Development Act."

SECTION 2. FINDINGS

House and Senate committees heard testimony, reviewed studies, and heard reports about the development needs of the Lower Mississippi Delta Region.

The solutions to the long-term economic development problems of the region depend upon a combined effort and long-term commitment of federal, state and local governments. No single level of government can address the complex problems of the Region. Moreover, to the greatest extent possible, the governments should rely on the expertise and suggestions of the private

sector, citizens of the area, and any organizations committed to the development of the area. Considerable expertise exists in the academic community in the region and should be fully utilized.

Economic revitalization and long-term economic growth of the region is dependent upon the ability of the region to sustain itself through expansion of employment and business opportunities. Business expansion in the region offers the greatest hope for economic growth and revitalization of the region. Toward the achievement of this goal, the Commission is to develop an inventory of business resources in the region and compare the availability of those resources with those available in other regions of the Nation; and to study and make recommendations for improvements in federal, state and local business development and financing programs. To attract businesses and other investment into the area, the region needs to be developed in such a way to create a favorable business environment. The approach to development of the area must be comprehensive and include: increasing investment capital availability, developing infrastructure, providing adequate educational opportunities and health care services, ensuring the availability of adequate housing and recreational activities, and maximizing resource development in the area.

The Mississippi River, although a tremendous natural resource for the region, has been somewhat of a barrier to the development of highway transportation. Meeting transportation needs in the region is essential to an overall economic development plan. Therefore, the legislation directs the Commission to study and recommend a system of joint federal and state-funded limited access highways and parkways interconnecting the region, and connecting the region to other major national transportation routes.

SECTION 3: PURPOSE

This section establishes the purpose of the Delta legislation. A Commission is created to study the economic needs of the region and make recommendations on how to alleviate those needs. The phrase "economic needs and economic development" should be interpreted in a comprehensive manner. The Commission is not to focus all of its efforts on business development. The Commission must also look at ways to create a favorable business environment and improve the quality of life for the region's inhabitants including studying and making recommendations that address education, health, transportation, and housing needs. Obviously, improvement in these areas is key to economic development.

SECTION 4: DEFINITIONS

This section defines the key terms used throughout the legislation. The title "Lower Mississippi" refers to the Lower Mississippi River, which begins geographically at the confluence of the Ohio and Mississippi Rivers at the southern tip of Illinois, and continues down the Mississippi to the Gulf of Mexico.

The term "delta" is used both in the geographical and cultural sense. The Lower Mississippi Delta is the common term used in the area to describe what is geographically known as the Mississippi alluvial plain; an area of soils created by the deposits of loess and silt in the Mississippi Basin over thousands of years, reaching as wide as 125 miles on each bank, and which follows the river's course from southern Illinois to the Gulf.

This is not to be confused with the more precise geographical usage of the term "Mississippi delta", which is often used to mean the area of silt deposited at the mouth of the river in southern Louisiana. "Delta" is also a cultural term, used by the inhabitants of this region to define their unique culture, including their literature, music and institutions.

The legislation uses this term because the Lower Mississippi Valley Delta region includes the poorest counties of the country and is the poorest region, and because the people and counties of the region that are targeted share many of the same cultural, economic, geographical, geological and other regional similarities. However, while the act targets those counties with a reasonable proximity to the Mississippi River, it is important to note that it does not exclude other counties or areas near the Delta from being examined if the Commission finds such examination useful in carrying out the purposes of this Act.

SECTION 5: ESTABLISHMENT

This section establishes the Lower Mississippi Delta Development Commission.

SECTION 6: MEMBERSHIP AND ORGANIZATION

The Governor of each State in the region—Arkansas, Illinois, Kentucky, Louisiana, Missouri, Mississippi and Tennessee—is required to participate and to appoint a Commission member. The President is required to appoint two members from the economic development community.

The Governors should coordinate their appointments in order that there be a diversity of expertise represented on the Commission. For example, one State may wish to appoint a Commission member with expertise in public health or education, while another may wish to appoint a member with expertise in natural resource development.

The states are primarily responsible for developing the report and recommendations. However, many federal agencies have expertise valuable to solving the problems of the Lower Mississippi River Delta region including the Corps of Engineers, the Small Business Administration, the U.S. Department of Agriculture, the Department of Housing and Urban Development, the Department of Health and Human Services, the Department of Transportation, and the Appalachian Regional Commission. Rather than selecting from among these agencies which will be represented on the Commission, the legislation authorizes the President to appoint federal employees as representatives. The Presidential appointees do not have to be federal employees, however, and must be drawn from the economic development community.

Each appointee, state or Presidential, shall serve at the pleasure of the appointing officer. Commission members are not appointed for the life of the Commission and may be terminated if the officer who appoints them is no longer in office. Thus, if the administration changes, the new administration will have the authority to either retain the former administration's appointee or appoint a new member.

For the purposes of conducting business, such as approving the interim or final report or for purposes of selecting a chairman, a quorum of five Commission members is required. The Commission may establish a lesser quorum for purposes of conducting meetings, holding hearings, and discussion forums or other similar activities relating to the development of the interim or final report.

Four or more of the state appointed members shall determine the date, time and place of the first meeting and shall call the first meeting. The first meeting must be held within forty-five days after the enactment of this legislation. The first meeting should be at a location centrally located in the region. The first order of business at the meeting shall be to appoint a chairman. The Chairman must be selected from among the state appointees. The quorum required for selecting a Chairman is five members of the Commission.

The Commission shall conduct additional meetings as it feels are appropriate and shall decide how the meetings shall be called. Each meeting location should be easily and economically accessible by all members of the Commission.

The Commission is required to establish a headquarters.

SECTION 7: DUTIES OF THE COMMISSION

The Commission is directed to identify and study the economic development, infrastructure, employment, transportation, resource development, education, health care, housing and recreation needs of the Lower Mississippi Delta region. Each of the listed needs are to receive equal consideration in the identification and study process.

The Commission is to use the information it gathers to develop a ten-year plan that makes recommendations on actions that should be taken to alleviate the problems of the area. The Committee intends that the ten-year plan form the basis for any actions taken by the federal, state and local governments to address the problems in the region. The Commission is directed to establish priorities from among the recommended actions to help guide an orderly economic development course for the region.

In addition to the issues enumerated in the legislation, the Commission is given discretion to study other issues the Commission feels are relevant to economic development. Although most of the specified items in this section address economic development needs, all of the needs identified by the Commission as important to carrying out the purposes of the act should receive equal consideration in the study process. In studying and reporting on the issues, the Commission is required to conduct studies, investigations and field hearings. The Commission should actively encourage and solicit public participation in the study process. Considerable expertise exists within the region—in colleges and universities, businesses, economic development organizations, and state and local institutions—and the Commission should fully utilize such regional expertise.

The Commission is directed to compare issues in the Delta Region with those nationwide. The Commission should focus its resources primarily on developing local data. The Commission is not to conduct nationwide data gathering activities. Rather, the Commission is to rely on existing data and resources when making the comparisons required by this section.

The Commission is directed by the legislation to hold one hearing in each State in the region. Hearings and discussion forums should be well publicized in order to encourage the highest possible level of public participation.

SECTION 8: COMPENSATION OF THE COMMISSION

This section provides the manner of compensation for the Commission members. The Governors are not required to compensate their appointees but are not precluded

from doing so. Members appointed by the President shall not receive additional compensation for their Commission activities if they are already employees of the federal government. If the Presidential appointees are not federal employees they will be compensated at a rate no higher than a level GS-15 civil service employee for the time spent on Commission business.

All members of the Commission, state and federal, will be reimbursed by the federal government for travel and subsistence costs accrued during the performance of their duties on the Commission.

SECTION 9: POWERS AND ADMINISTRATIVE PROVISIONS

This section gives the Commission authorities necessary to conduct its business, including entering into contracts.

SECTION 10: REPORTS

The Commission is required to submit an interim report of its findings and activities within nine months after the first Commission meeting. The interim report is to be submitted to the seven Governors, the President, and to the Speaker of the House and the President pro tempore of the Senate. The Speaker and President pro tempore are to submit copies of the report to the appropriate committees of the House and Senate.

Within eighteen months after the date of the first Commission meeting, the Commission is to file a final report. The final report is to contain recommendations on all the items specified in this section. In addition, the Commission may make recommendations on other issues it believes are relevant to the economic development of the region. Recommendations should discuss the proper role of the state, federal and local governments in alleviating the problems of the area. In addition, the Commission should consider the proper role of the private sector and make recommendations accordingly.

SECTION 11: LIFE OF THE COMMISSION

The Commission is required to remain in effect for 120 days after the date the final report is submitted, but in no event is the total term of the Commission to exceed 2 years from the date of enactment of this legislation.

SECTION 12: AUTHORIZATION OF APPROPRIATIONS

This section authorizes \$2 million for fiscal year 1989 and \$1 million for fiscal year 1990 to fund the activities of the Commission.

Mr. DORGAN of North Dakota. Mr. Speaker, I rise today in strong support of the conference report on H.R. 4784, appropriations for rural development, agriculture, and related agencies. I commend the chairman of the Appropriations Committee, Mr. WHITTEN, and the other committee members for putting together an excellent bill that will provide the funds to sustain rural America through the coming fiscal year.

Most importantly, this bill supplies the Commodity Credit Corporation with operating money for fiscal year 1989, some of which will be used to make the disaster relief payments to farmers and ranchers who have suffered from the withering drought and heat of the summer of 1988. It is important to remember that we will

likely spend less on drought relief than would have been spent in the absence of the drought. We have already saved money in fiscal year 1988, and we will save billions of dollars in fiscal year 1989 and probably future years as well. These savings will more than cover the cost of the disaster relief legislation.

It has been estimated that North Dakota producers will receive about \$400 million in disaster payments, which will just about make up for the payments that were expected before the drought. These payments are badly needed to make up for lost income from shriveled crops, and feed assistance is desperately needed to help livestock producers maintain their herds in a time when normal feed supplies are greatly reduced.

Also in this bill are several projects of particular interest to North Dakota. Foremost is an appropriation of \$4.2 million for the establishment of an Institute for Earth Systems Science at the University of North Dakota, which will make use of remote sensing data to greatly improve our understanding of and ability to predict weather patterns. This is obviously of great significance to agriculture, especially in this time of uncertainty due to suspected global warming, caused by the so-called greenhouse effect. While \$4.2 million is less than the amount originally sought for the institute, it will provide funding for the first major phase of the project.

In addition, the bill contains funding for an Industrial Agriculture and Communications Center at North Dakota State University, along with money for various projects at the university. These research projects include trade policy research on northern crops such as grains and oilseeds; research on alternative uses of oilseeds, potato disease and genetics, blackbird depredation of crops, insect control for sunflowers, variety improvement for dry edible beans, and grasshopper control; funds to help the State of North Dakota celebrate its centennial by planting 100 million new trees; and continued funding for the Center for Rural Development.

Among other important provisions, the bill restores the full \$1.8 billion to the Rural Electrification Administration, despite repeated efforts by the Reagan-Bush administration over the last 8 years to eliminate this program.

Mr. Speaker, this bill is vital to the health of rural America, and I urge my colleagues to support it.

Mr. SHUMWAY. Mr. Speaker, I rise in opposition to the conference report.

Among other things, this report contains authorization for the Lower Mississippi Delta Regional Commission.

This bill came before the Economic Stabilization Subcommittee of the House Banking Committee in September of this year. At this time, signifi-

cant objections were made by Republican members of the subcommittee to both the nature and purpose of the bill. The legislation authorizes \$2 million for the establishment of a commission to study the economics of the Mississippi Delta region, and to suggest further programs which might alleviate the economic stagnation of the area. Subsequent to this study, a new commission would be established which would operate just like the Appalachian Regional Commission [ARC].

I do not need to go into a lengthy discussion of the weaknesses and ineffectiveness of the ARC. Suffice it to say that the administration has attempted to kill this program for over the past 6 years, and the program has not received money through the normal legislation process in nearly as long.

It is this aberration from procedure to which I am most opposed. It is no secret that such Federal programs have been extremely unpopular in the past. This sort of regional favoritism flies in the face of national priorities and a policy of fiscal balance.

In this case, the proponents of this bill have simply ignored the systems of voting and comment used by this body to bring careful scrutiny and review to proposals before it.

The Lower Mississippi Delta Development Commission has been added to this agriculture bill at the last minute, and has nothing to do with agriculture or any other jurisdictional parameters of the bill. I suggest that under the bright light of full legislative process, this Commission would never justify itself to the majority of Members of the House. However, we are now faced with no choice on the merits and no ability to modify or change the bill itself.

Such disregard for procedure makes a mockery of the legislative process, and is a poor way to craft the laws of the country.

GENERAL LEAVE

Mr. WHITTEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, on the conference report on H.R. 4784, now under consideration.

The SPEAKER pro tempore (Mrs. BOXER). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. SMITH of Nebraska. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WHITTEN. Madam Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The **SPEAKER** pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. **SMITH** of Nebraska. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 353, nays 35, not voting 43, as follows:

[Roll No. 364]

YEAS—353

Ackerman	Dellums	Hochbrueckner
Akaka	Derrick	Holloway
Alexander	DeWine	Hopkins
Andrews	Dickinson	Horton
Annuizio	Dicks	Houghton
Anthony	Dingell	Hoyer
Applegate	Dixon	Hubbard
Aspin	Donnelly	Hutto
Atkins	Dorgan (ND)	Hyde
AuCoin	Dornan (CA)	Inhofe
Badham	Downey	Ireland
Baker	Durbin	Jeffords
Ballenger	Dwyer	Jenkins
Barnard	Dymally	Johnson (CT)
Bartlett	Dyson	Johnson (SD)
Barton	Early	Jones (NC)
Bateman	Eckart	Jones (TN)
Bates	Edwards (CA)	Jontz
Bellenson	Edwards (OK)	Kanjorski
Bennett	Emerson	Kaptur
Bereuter	English	Kasich
Berman	Erdreich	Kastenmeier
Bevill	Espy	Kennedy
Blibray	Evans	Kennelly
Blirakis	Fascell	Kildee
Billey	Fazio	Kleczka
Boggs	Feighan	Kolter
Bonior	Fish	Kostmayer
Borski	Flake	LaFalce
Bosco	Florio	Lancaster
Boucher	Foglietta	Lantos
Boxer	Foley	Latta
Brennan	Ford (MI)	Leach (IA)
Broomfield	Ford (TN)	Leath (TX)
Bruce	Frost	Lehman (CA)
Bryant	Gallo	Lehman (FL)
Bunning	Gaydos	Leland
Burton	Gejdenson	Lent
Bustamante	Gekas	Levin (MI)
Byron	Gephardt	Levine (CA)
Campbell	Gibbons	Lewis (CA)
Cardin	Gilman	Lewis (FL)
Carper	Gingrich	Lewis (GA)
Carr	Glickman	Lightfoot
Chandler	Gonzalez	Lipinski
Chapman	Goodling	Livingston
Chappell	Gordon	Lloyd
Clarke	Gradison	Lott
Clay	Grandy	Lowery (CA)
Clinger	Grant	Lowry (WA)
Coats	Gray (IL)	Lukens, Donald
Coble	Gray (PA)	Madigan
Coelho	Green	Manton
Coleman (MO)	Guarini	Markey
Coleman (TX)	Gunderson	Marlenee
Collins	Hall (OH)	Martin (IL)
Combest	Hall (TX)	Martin (NY)
Conte	Hamilton	Martinez
Conyers	Hammerschmidt	Matsui
Cooper	Hansen	Mavroules
Costello	Harris	Mazzoli
Coughlin	Hastert	McCloskey
Courter	Hatcher	McCrery
Coyne	Hawkins	McDade
Craig	Hayes (IL)	McEwen
Crockett	Hefner	McGrath
Darden	Henry	McHugh
Daub	Herger	McMillan (NC)
de la Garza	Hertel	McMillen (MD)
DeFazio	Hiler	Meyers

Mfume	Quillen	Staggers
Mica	Rahall	Stallings
Michel	Rangel	Stangeland
Miller (CA)	Ravenel	Stark
Miller (OH)	Ray	Stenholm
Miller (WA)	Regula	Stokes
Moakley	Richardson	Stratton
Mollinari	Ridge	Studds
Mollohan	Rinaldo	Sundquist
Montgomery	Roberts	Swift
Moody	Robinson	Swindall
Morella	Rodino	Synar
Morrison (CT)	Rogers	Tallon
Morrison (WA)	Rose	Tauke
Mrazek	Rostenkowski	Tauzin
Murphy	Roth	Taylor
Murtha	Roukema	Thomas (CA)
Myers	Rowland (CT)	Thomas (GA)
Natcher	Rowland (GA)	Torres
Neal	Roybal	Towns
Nichols	Sabo	Traxler
Nielson	Saiki	Udall
Nowak	Sawyer	Upton
Oaker	Saxton	Valentine
Oberstar	Schuetz	Vander Jagt
Obey	Schulze	Vento
Olin	Schumer	Visclosky
Ortiz	Sharp	Volkmer
Owens (NY)	Shaw	Walgren
Owens (UT)	Shuster	Watkins
Oxley	Siskis	Waxman
Packard	Skeen	Weber
Panetta	Skelton	Weiss
Parris	Slattery	Wheat
Pashayan	Slaughter (NY)	Whittaker
Patterson	Slaughter (VA)	Whitten
Payne	Smith (IA)	Williams
Pease	Smith (NE)	Wilson
Pelosi	Smith (NJ)	Wise
Penny	Smith (TX)	Wolf
Pepper	Smith, Robert	Wolpe
Perkins	(OR)	Wortley
Petri	Snowe	Wyden
Pickett	Solarz	Wylie
Pickle	Solomon	Yates
Porter	Spence	Yatron
Price	Spratt	Young (AK)
Pursell	St Germain	Young (FL)

NAYS—35

Anderson	Frank	Schaefer
Archer	Frenzel	Scheuer
Armey	Gallely	Schroeder
Brown (CO)	Hefley	Sensenbrenner
Cheney	Hughes	Shays
Crane	Jacobs	Shumway
Dannemeyer	Kyl	Smith, Denny
Davis (IL)	Lagomarsino	(OR)
DeLay	Lukens, Thomas	Smith, Robert
DiGuardi	Lungren	(NH)
Dreier	McCollum	Stump
Fawell	Moorhead	
Fields	Russo	

NOT VOTING—43

Bentley	Hayes (LA)	Ritter
Boehart	Huckaby	Roe
Boland	Hunter	Savage
Bonker	Kemp	Schneider
Boulter	Kolbe	Sikorski
Brooks	Konnyu	Skaggs
Brown (CA)	Lujan	Smith (FL)
Buechner	Mack	Sweeney
Callahan	MacKay	Torricelli
Clement	McCandless	Trafficant
Davis (MI)	McCurdy	Vucanovich
Dowdy	Mineta	Walker
Flippo	Nagle	Weldon
Garcia	Nelson	
Gregg	Rhodes	

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Mr. **KYL** and Mr. **THOMAS A. LUKEN** changed their votes from "yea" to "nay."

Mr. **MANTON** changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The **SPEAKER** pro tempore. (Ms. **BOXER**). The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 1: Page 2, strike out lines 18 to 25.

MOTION OFFERED BY MR. WHITTEN

Mr. **WHITTEN**. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. **WHITTEN** moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

OFFICE OF THE ASSISTANT TO THE SECRETARY FOR SPECIAL SERVICES

For necessary salaries and expenses to continue the Office of the Assistant to the Secretary for purposes of providing special services to the Department, \$150,000: *Provided*, That none of these funds shall be available for the supervision or management of Natural Resources and Environmental activities, the Soil Conservation Service, or the Forest Service, or any other activities or functions associated therewith.

Mrs. **SMITH** of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the **RECORD**.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. **WHITTEN**].

The motion was agreed to.

The **SPEAKER** pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 12: Page 11, line 3, strike out "\$555,755,000" and insert "\$551,657,000".

MOTION OFFERED BY MR. WHITTEN

Mr. **WHITTEN**. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. **WHITTEN** moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$561,581,000".

The motion was agreed to.

The **SPEAKER** pro tempore. The Clerk will designate the next amendment in disagreement.

Mr. **WHITTEN**. Madam Speaker, I ask unanimous consent that Senate amendments numbered 20, 60, 71, 78, 115, 116, 117, 118, and 119 be considered as read and printed in the **RECORD**.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The texts of the various Senate amendments referred to in the unanimous-consent request are as follows:

Senate amendment No. 20: Page 13, line 10, after "facilities" insert "Provided, further, That funds recovered in satisfaction of judgment at the Plum Island Animal Disease Center shall be available and augment funds appropriated in a prior fiscal year for construction at Plum Island Animal Disease Center and be used for construction necessary to consolidate research and operations at the Center and for renovation of the Beltsville Agricultural Research Center".

Senate amendment No. 60: Page 34, after line 14, insert:

CITY OF LINCOLN

Hereafter, the area within the present city limits of the city of Lincoln, Burleigh County, State of North Dakota, and the southeast quarter (SE¼) of section eighteen (18), township one hundred thirty-eight (138) north, range seventy-nine (79) west, Burleigh County, North Dakota, shall continue to be eligible for loans and payments administered by the Farmers Home Administration through the Rural Housing Insurance Fund.

Senate amendment No. 71: Page 37, line 18, after "\$540,000" insert "Provided, that \$500,000 shall be available for grants to qualified non-profit organizations to provide technical assistance for rural communities needing improved passenger transportation systems or facilities in order to promote economic development".

Senate amendment No. 78: Page 41, after line 7, insert:

RURAL ECONOMIC DEVELOPMENT SUBACCOUNT

For grants and loans authorized under section 313 of the Rural Electrification Act for the purpose of promoting rural economic development and job creation projects, \$540,000: *Provided*, That this amount will be in addition to any amounts generated by the interest differential on voluntary cushion of credit payments made by REA borrowers.

Senate amendment No. 115: Page 65, line 19, after "banks" insert "and the Federal Agricultural Mortgage Corporation".

Senate amendment No. 116: Page 72, line 5, after "Act." insert "Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act".

Senate amendment No. 117: Page 73, line 2, after "agencies" insert "Food and Drug Administration, 7,350".

Senate amendment No. 118: Page 74, line 11, strike out "None" and insert "hereafter, none".

Senate amendment No. 119: Page 74, line 11, after "this" insert "or any other".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendments of the Senate numbered 20, 60, 71, 78, 115, 116, 117, 118, 119 and concur therein.

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask

unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 22: Page 14, line 11, strike out all after "University;" down to and including "450i)" in line 13, and insert "\$32,506,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i), including special research grants (in lieu of competitive research grants) of not less than \$2,000,000 for an animal science food safety consortium, \$2,500,000 for a biotechnology midwest consortium, \$2,000,000 for alternative pest control, and \$1,750,000 for a biotechnology Iowa consortium".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: "\$41,886,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i)".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 43: Page 18, line 10, strike out "\$7,550,000" and insert "\$5,757,000".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$9,083,000".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask

unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 46: Page 19, line 17, strike out "\$329,273,000" and insert "\$328,170,000".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$331,207,000".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 56: Page 30, line 6, strike out "but not to exceed \$6,828,286,000,".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 56 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: "but not to exceed \$8,828,286,000,".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

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The SPEAKER pro tempore (Mrs. BOXER). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 68: Page 36, line 5, strike out "\$6,500,000" and insert "\$3,000,000 and from funds transferred from the Rural Development Insurance Fund, \$11,000,000: *Provided*, That such funds be made available within six months of enactment".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 68 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: "\$3,000,000 and from funds transferred from the Rural Development Insurance Fund, \$11,000,000".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 75: Page 39, line 7, after "systems" insert ": *Provided further*, That notwithstanding any other provision of law, \$2,000,000 of this appropriation shall be available solely to carry out S. 2246, the Lower Mississippi Delta Development Commission, as reported by the Committee on Environment and Public Works, and the provisions of such reported bill are hereby incorporated by reference and made a part of this Act".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 75 and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: "*Provided further*, That notwithstanding any other provision of law, \$2,000,000 of this appropriation shall be available solely to carry out H.R. 5378 and S. 2836, the Lower Mississippi Delta Development Act, as introduced in the House of Representatives on September 26, 1988, and in the Senate on September 27, 1988, and the provisions of such bills

are hereby incorporated by reference and made a part of this Act".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 82: Page 43, after line 2, insert:

CONSERVATION

OFFICE OF THE ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Assistant Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Soil Conservation Service, \$461,000.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 82 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

CONSERVATION

OFFICE OF THE ASSISTANT TO THE SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Assistant to the Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Soil Conservation Service, \$266,000: *Provided*, That the position of the Assistant to the Secretary for Natural Resources and Environment, for maximum results, should be filled by an experienced employee of the Soil Conservation Service or the Forest Service.

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. YATES. Madam Speaker, I rise in support of the amendment and ask to be recognized.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. WHITTEN] is recognized for 30 minutes.

Mr. WHITTEN. Madam Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Madam Speaker, I thank the gentleman for yielding.

I rise in support of this amendment which relates to the subject of natural resources in the bill and I rise to point out how well it accords with the provisions of the Interior appropriations bill, H.R. 4867, which President Reagan signed into law on Tuesday. In that bill, we provided funds of in excess of the requests of the administration for research, development, and demonstration of technologies that relate to the curbing of acid rain and related research for protecting the environment. President Reagan's fight against acid rain and the greenhouse effect was at best a token one. Congress did much better. Research related to global warming, for example, was increased from \$388 million, requested by the administration over the last 8 years, to \$862 million by our committee and by the Congress, an increase of 123 percent. My bill for this year and the earlier years of the Reagan administration provided significant impetus to technologies that would mitigate the effect of both acid rain and atmospheric warming.

In energy conservation research and development the increase over the requests of the administration for the last 8 years were from \$560 million to \$1.1 billion, a 98-percent increase.

I cite these increases, Madam Speaker, to show the determination by our committee and by the Congress to treat the problems of acid rain, to recognize their difficulties, to show our determination to combat them, also to combat the warming atmosphere known as the greenhouse effect and to over rule the administrations inadequate funding.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 90: Page 53, line 6, strike out all after "Act" down to and including "services" in line 8, and insert "may be transferred to the conservation operations account of the Soil Conservation Service for services of its technicians".

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 90 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: ", but not to exceed \$61,461,000, shall be available for payment to technicians of the Soil Conservation for services".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 91: Page 53, line 12, strike out all after "land" down to and including "1989" in line 16.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 91 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: "Provided further, That not to exceed \$385,000,000 of the funds in this Act, or otherwise made available by this Act, shall be available to provide cost share assistance on crop year 1989 acreage during fiscal year 1989; for the purposes of section 202 of the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119, September 29, 1987), to the extent that this proviso has the effect of transferring an outlay of the United States from one fiscal year to an adjacent fiscal year, such transfer is a necessary (but secondary) result of a significant policy change"

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 109: Page 63, line 19, after "otherwise" insert "without regard to chapter 51 and subchapter III of chapter 53 of title 5: Provided further, That funds appropriated may be obligated or expended by the Commissioner of Food and Drugs, without regard to the provisions of title 5, United States Code, governing appointments in the competitive services and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, to establish such technical

and scientific review groups as are needed to carry out the functions of the Food and Drug Administration, including functions under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 201 et seq.), and to appoint and pay the members of such groups, except that officers and employees of the United States shall not receive additional compensation for service as members of such groups, and the Federal Advisory Committee Act shall not apply to the duration of a peer review group appointed under this paragraph.

For purposes of carrying out the provisions of section 10 of the Medical Device Amendments of 1976 (42 U.S.C. 3512) there shall be up to \$4,000,000 available from the devices and radiological products account.

For purposes of establishing and implementing a demonstration project that authorizes the Secretary to use the facilities of any public or private cooperative, with the permission of any such cooperative, to perform any of the activities authorized under chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 et seq.), in accordance with regulations to be promulgated by the Secretary, up to \$3,000,000 shall be made available.

For purposes of establishing and implementing a program under which the Secretary of Health and Human Services, acting through the Commissioner of the Food and Drug Administration, may make grants to, or enter into contracts with, any public or nonprofit academic institution, including schools of medicine, dentistry, and core curriculum programs that will be used to train individuals in the field of regulatory review medicine, \$1,000,000 shall be made available.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 109 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "Without regard to chapter 51 and subchapter III of chapter 53, and section 2105(a) of chapter 21 of title 5, United States Code.

"For purposes of establishing and implementing a demonstration project that authorizes the Secretary to use the facilities of any public or private cooperative, with the permission of any such cooperative, up to \$3,000,000 may be made available"

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 110: Page 63, after line 19 insert:

No later than September 30, 1989, contact lenses as defined in 21 CFR 886.5916 and 886.5925 shall be considered class II devices unless the Secretary has affirmatively determined that such devices meet the criteria set forth in 21 U.S.C. 360c(a)(1)(C).

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House insist on its disagreement to the amendment of the Senate numbered 110.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. WHITTEN] is recognized for 30 minutes.

Mr. WHITTEN. Madam Speaker, I yield such time as he may consume to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Madam Speaker, I am greatly disappointed that the Members of the other body have sent us this provision, and I rise to join the distinguished chairman of the Appropriations Committee, Mr. WHITTEN, and the distinguished chairman of the Committee on Energy and Commerce, Mr. DINGELL, in asking you to reject it.

It is most inappropriate for this provision to come before the House in an appropriations measure, for two equally important reasons. First, since it involves changes in the substantive law of the Federal Food, Drug, and Cosmetic Act. It violates the procedures of this body. Second, considering this provision in isolation undermines the years of effort that Mr. DINGELL and I have put into developing H.R. 4640, the Medical Device Improvements Act of 1988.

Madam Speaker, the Food and Drug Administration is charged with determining the safety and effectiveness of medical devices. Hearings conducted by Mr. DINGELL in his Oversight and Investigations Subcommittee as well as hearings before the Subcommittee on Health and the Environment have documented many serious problems that have arisen in the course of implementing the medical device laws.

The matter addressed in the provision before the House is but one of a multitude of such issues that we have resolved in H.R. 4640, the Medical Device Improvements Act of 1988. That bill represents a compromise worked out by ourselves and our colleague. The ranking minority member of the Subcommittee on Health and the Environment, Mr. MADIGAN, with industry representatives. H.R. 4640 passed this body without objection and a conference with the Senate is now pending.

Adoption of this provision in an appropriations measure would be an open invitation to other interests to abandon the comprehensive bill and to attempt to seek self-serving solutions through other routes. This undermines not only the negotiations on H.R. 4640, but threatens the integrity

of the Federal, Food, Drug, and Cosmetic Act itself.

I urge all Members to reject this misguided attempt to subvert House procedures and sabotage our legislative efforts.

Mr. DINGELL. Madam Speaker, I rise to express my opposition to item 110, a provision in disagreement on this bill.

My colleague, Chairman WHITTEN, and the conferees from his committee have dealt well and fairly with this appropriations bill. They have acknowledged that this provision from the Senate—affecting the regulation of contract lenses under the Food, Drug and Cosmetic Act—is a legislative matter which should be resolved in the usual manner between the relevant authorizing committees.

It is always a temptation to add provisions to any passing legislative vehicle. But Chairman WHITTEN and I have always stood firmly against authorizing legislation on appropriations bills. Furthermore, in this case, for those who wish to see such a provision enacted, there is another very viable alternative.

The House has recently passed and sent to the Senate for conference a bill H.R. 4640, the Medical Device Improvements Act of 1988.

This legislation was the result of 3 years of work by the Energy and Commerce Committee, and represents the first comprehensive reform of Federal medical device law in 12 years. The bill specifically addresses the issues concerning contact lenses raised in the Senate amendment.

I urge the House to support Chairman WHITTEN and to vote against inclusion of this item in the conference report on H.R. 4784.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 120: Page 74, line 19, after "Fund," insert "Also, none of the funds in this Act, or otherwise made available by this Act, shall be used to sell more loans from the Rural Development Insurance Fund than needed to realize net proceeds of \$584,000,000, the total level authorized by the Omnibus Reconciliation Act of 1986, Public Law 99-509, and the Continuing Appropriations Act of 1987, Public Law 99-591."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 120 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment,

insert the following: "Also, none of the funds in this Act, or otherwise made available by this Act, shall be used to sell or offer for borrower prepayment more loans from the Rural Development Insurance Fund than needed to realize net proceeds of \$584,000,000, the total level authorized by the Omnibus Reconciliation Act of 1986, Public Law 99-509, and the Continuing Appropriations Act of 1987, Public Law 99-591. Further, Rural Development Insurance Fund loans offered for sale in fiscal year 1989 shall be first offered to the borrowers for prepayment. Borrowers who rejected prepayment offers in fiscal year 1988 shall remain eligible for prepayment in fiscal year 1989."

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 121: Page 74, strike out all after line 19 over to and including line 2 on page 75.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 121 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

Sec. 634. (a) Effective beginning with the 1989 crop year for honey, section 405 of the Agricultural Act of 1949 (7 U.S.C. 1425) is amended, in the text of subsection (a) (as so designated by section 1004(1) of the Food Security Act of 1985 effective for the 1986 through 1990 crops), by striking out "No producer" and inserting in lieu thereof "Except as otherwise provided in section 405A, no producer".

(b) The Agricultural Act of 1949 is amended by inserting after section 405 the following new section:

"Sec. 405A. (a) A producer of honey may satisfy the producer's obligation to repay a loan, or a portion of a loan, made to the producer under section 201(b) of this Act by forfeiting the collateral for the loan, or portion of the loan, only if the value of the collateral forfeited, when taken together with the value of the collateral forfeited on any other loan or loans of the producer for such crop of honey under section 201(b), does not exceed \$250,000: *Provided, however,* that the loan forfeiture limitation provided by this section shall not be applicable for any crop year for which the Secretary does not permit producers of honey to repay the price support loans at a level determined under section 201(b)(2)(B).

"(b) The producer of honey shall be personally liable for the repayment of a loan or

loans made to the producer under the program for the crop of honey involved, with respect to that portion of the loan or loans for which satisfaction of the loan by forfeiture, as provided in subsection (a), is prohibited.

"(c) The loan contracts of the Commodity Credit Corporation entered into with producers of honey shall clearly indicate the extent to which a producer of honey may be personally liable for repayment of a loan under this section.

"(d) The Commodity Credit Corporation may issue such regulations as the Corporation deems necessary to carry out this section."

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 122: Page 75, strike out lines 3 to 8.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 122 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

Sec. 635. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a targeted export assistance program under section 1124 of the Food Security Act of 1985 if the aggregate amount of funds and/or commodities under such program exceeds \$200,000,000: *Provided, That* \$30,000,000 shall be held in reserve to be released by the Secretary of Agriculture only if required.

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 126: Page 76, after line 2, insert:

Sec. 634. No later than 30 days after enactment of this Act, funds provided in this Act shall be used to implement section 633 of the "Rural Development, Agriculture and Related Agencies Appropriations Act, 1988", and, within the authorities provided in such section, shall allocate \$150,000,000 in prepayments to telephone program borrowers and \$350,000,000 in prepayments to electric program borrowers.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 126 and concur therein with an amendment, as follows: In lieu of the first section number named in said amendment, insert "637".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 127: Page 76, after line 2, insert:

Sec. 635. None of the funds in this Act, or otherwise made available by this Act, shall be used to prevent a Rural Telephone Bank borrower from concurrently rescinding the unadvanced portion of an approved loan made by the Bank prior to October 1, 1987, and reapplying during this fiscal year, without prejudice, to the Rural Telephone Bank for a new loan in such amount for the same purpose or purposes; nor, shall such funds be used to regulate the order or sequence of advances of funds to a borrower under any combination of approved telephone loans from the Rural Electrification Administration, the Rural Telephone Bank or the Federal Financing Bank.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 127 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Sec. 638. None of the funds in this Act, or otherwise made available by this Act, shall be used to regulate the order or sequence of advances of funds to a borrower under any combination of approved telephone loans from the Rural Electrification Administration, the Rural Telephone Bank or the Federal Financing Bank."

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask

unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 128: Page 76, after line 2, insert:

Sec. 636. Not less than \$10,000,000 nor more than \$20,000,000 of section 32 funds shall be used to purchase sunflower oil, such purchases to facilitate additional sales of sunflower oil in World Markets at competitive prices, so as to compete with other countries in Fiscal years 1989 and 1990: *Provided*, That these funds shall be in addition to funds made available for this purpose by the Rural Development, Agriculture, and Related Agencies Appropriations Act, 1988 (Public Law 100-202)."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 128 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Sec. 639. In fiscal years 1989 and 1990, \$20,000,000 of section 32 funds shall be used to purchase sunflower and cottonseed oil, as authorized by law, such purchases to facilitate additional sales of such oils in world markets at competitive prices, so as to compete with other countries: *Provided*, That these funds shall be in addition to funds made available for this purpose by the Rural Development, Agriculture, and Related Agencies Appropriations Act, 1988 (Public Law 100-202)."

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 129: Page 76, after line 2, insert:

Sec. 637. Within 30 days of the enactment of this section the Secretary of Agriculture may establish and operate a program for fiscal year 1989 as follows:

(a) The Secretary shall make available to sugar refiners, operators and processors commodities acquired by the Commodity Credit Corporation at such levels as the Secretary determines necessary to permit such refiners, operators or processors to purchase in the amounts specified below raw sugar grown in the Republic of the Philippines and countries designated as beneficiary countries pursuant to section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702) at prices equivalent to the market price for raw cane sugar in the United States on the condition that an equivalent amount of sugar refined in the United States is exported to world markets within 60 days. The Secretary shall make such commodities available on the basis of competitive bids and shall have discretion to accept or reject bids under such criteria as the Secretary determines appropriate. Generic certificates shall be issued in lieu of commodities acquired by the Commodity Credit Corporation under the program established under this section.

(b) The Secretary shall make available sufficient commodities to permit the importation of no less than 290,000 short tons of sugar, raw value, from the beneficiary countries specified in subsection (a), and no less than 110,000 short tons of sugar, raw value, from the Republic of the Philippines. Sugar imported under the program authorized under this section shall be in addition to any sugar quota level established for the countries specified in subsection (a) pursuant to headnote 3 of schedule 1, part 10, subpart A of the Tariff Schedules of the United States (9 U.S.C. 1202).

(c) In order to maximize the number of competing bidders, the Secretary shall, in determining the low bidders in the program established under this section, make appropriate adjustments in bids received from sugar refiners, operators and processors to reflect differing transportation costs based on refinery and factory location.

(d) The program authorized under this section shall be in addition to, and not in place of, any authority granted to the Secretary or the Commodity Credit Corporation under any other provision of law.

(e) The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

(f) Nothing in this section shall be deemed to increase the appropriation for any program administered by the United States Department of Agriculture.

(g) The Secretary may provide such other terms and conditions as the Secretary determines appropriate to carry out this section."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 129 and concur therein with an amendment, as follows: In lieu of the first section number named in said amendment, insert "640".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 130: Page 76, after line 2, insert:

SEC. 638. (a) Section 17(p) of the National School Lunch Act (42 U.S.C. 1766(p)) is amended by adding at the end thereof the following new paragraph:

"(4) For the purpose of establishing eligibility for free or reduced-price meals or supplements under this subsection, income shall include only the income of an eligible person and, if any, the spouse and dependents with whom the eligible person resides."

(b) Section 17(p) of such Act (as amended by subsection (a) of this section) is amended by adding at the end thereof the following new paragraph:

"(5) A person described in paragraph (1) shall be considered automatically eligible for free meals or supplements under this subsection, without further application or eligibility determination, if the person is—

"(A) a member of a household receiving assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.); or

"(B) a recipient of assistance under title XVI or XIX of the Social Security Act (42 U.S.C. 1381 et seq.)."

(c) Subparagraph (A) of section 17(p)(3) of such Act is amended to read as follows:

"(A) The Secretary, in consultation with the Commissioner of Aging, shall establish, within 6 months of enactment, separate guidelines for reimbursement of institutions described in this subsection. Such reimbursement shall take into account the nutritional requirements of eligible persons, as determined by the Secretary on the basis of tested nutritional research, except that such reimbursement shall not be less than would otherwise be required under this section."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 130 and concur therein with an amendment, as follows: I lie of the first section number named in said amendment, insert "641".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 131: Page 76, after line 2, insert:

SEC. 639. Such sums as may be necessary for fiscal year 1989 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 131 and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "642".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 134: Page 76, after line 2, insert:

SEC. 642. Notwithstanding any provision of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950b), any REA borrower which has hydroelectric facilities and associated equipment, the acquisition or construction of which was not financed with loans made or guaranteed under such Act, may, at the option of the borrower, without the approval of the Administrator, sell such facilities and equipment to an entity not receiving financial assistance hereunder and use the proceeds from such sale, or any part thereof, to prepay outstanding loans made by the Federal Financing Bank and guaranteed under such Act. Such Federal Financing Bank loans may be prepaid hereunder by paying the outstanding principal balance and accrued interest due on the loan and no sums in addition thereto may be charged against the borrower, the fund, or the Rural Electrification Administration. Prepayments hereunder shall not require the consent of the Secretary of the Treasury under section 306A of such Act or otherwise and shall not be included within those amounts authorized for prepayment pursuant to, or otherwise subject to, section 1401 of the Omnibus Budget Reconciliation Act of 1987 (Public Law 100-203) or section 633 of Continuing Appropriations, Fiscal Year 1988 (Public Law 100-202): *Provided, however*, That such prepayments shall be made not later than December 31, 1988.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House insist on its disagreement to the amendment of the Senate numbered 134.

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 140: Page 76, after line 2, insert:

SEC. 648. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the project or program.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 140 and concur therein with an amendment, as follows: In lieu of the section number named in said amendment, insert "644".

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 141: Page 76, after line 2, insert:

SEC. 649. (a) There is appropriated \$30,825,000 for necessary expenses to carry out the special supplemental food program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), to remain available through September 30, 1990.

Notwithstanding any other provision of this Act, in addition to the reduction required under section 643, each appropriation item made available under this Act shall be reduced by .7 percent of the original item, rounded to the nearest thousands

of dollars, except for programs scored as mandatory during fiscal year 1989 and amounts made available for Public Law 480, the Farmers' Home Administration, the Rural Electrification Administration, the conservation reserve program, the commodity supplemental food program, and the supplemental food program for women, infants, and children.

(c) Section 643 shall not apply to the amount made available by subsection (a).

(d) Section 17(f) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f) is amended—

(1) in paragraph (1)—

(A) by striking out "and" at the end of clause (viii);

(B) by striking out the period at the end of clause (ix) and inserting in lieu thereof "and"; and

(C) by adding at the end thereof the following new clause:

"(x) a description of the feasibility and types of cost containment procedures described in section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) (including infant formula rebates) implemented to acquire infant formula and other foods that are necessary to carry out this section."; and

(2) by adding at the end thereof the following new paragraph:

"(17) A State agency shall examine the feasibility of implementing the procedures referred to in paragraph (1)(x). If the State agency determines that such a procedure would lower costs and enable more eligible persons to be served (without interference with the delivery of nutritious foods to recipients), the State agency shall implement such procedure."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 141 and concur therein with an amendment, as follows, in lieu of the matter proposed by said amendment, insert the following:

Sec. 645. Effective August 30, 1989, none of the funds available in this Act for the Special Supplemental Food Program for Women, Infants, and Children (WIC) may be used by a state if that state has not examined the feasibility of implementing cost containment procedures described in section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1988 (7 U.S.C. 612c note) (including infant formula rebates) for acquiring infant formula and, where practicable, other foods that are necessary to carry out such program, and if the state has determined that such a procedure would lower costs and enable more eligible persons to be served (without interference with the delivery of nutritious foods to recipients) and has not initiated action to implement such procedures. The Secretary may extend the effective date of implementation on a case-by-case basis where necessary.

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request that the gentlewoman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 142: Page 76, after line 2, insert:

Sec. 650. Section 6.29 of the Farm Credit Act of 1971 (12 U.S.C. 2278b-9) is amended by—

(1) in subsection (a)(1), striking out "Except as provided in paragraph (2)," and inserting in lieu thereof "Except as provided in paragraphs (2) and (3).";

(2) adding at the end of subsection (a) the following new paragraph:

"(3) PERIODIC PURCHASES.—(A) Notwithstanding any other provision of this section, the Financial Assistance Corporation shall establish a program under which System institutions shall purchase, as debt obligations are issued under section 6.26(a), stock of the Corporation in amounts described in this paragraph.

"(B) The program shall provide, with respect to each issuance of debt obligations under section 6.26(a), that each System institution originally required to purchase stock under paragraph (1), or the successor thereto, shall purchase Corporation stock in an amount determined by multiplying the amount of stock such institution was originally required to purchase under that paragraph by a percentage equal to the percentage which the amount of the issuance bears to \$4,000,000,000.

"(C) The Financial Assistance Corporation shall promptly rescind purchases of stock of the Corporation made under paragraph (1) or (2) by System institutions and refund to such institutions, or their successors, the purchase price for the stock, except that, with respect to each issuance of debt obligations that occurs before October 1, 1988, the Corporation shall deduct from any refund due any System institution, and retain, the amount payable by such institution.

(3) in subsection (c)—

(a) striking out "Within" and inserting in lieu thereof "(1) Within";

(b) striking out "(1) the" and inserting in lieu thereof "(A) the"; and

(c) striking out "(2) in the case" and inserting in lieu thereof "(B) in the case"; and

(4) adding at the end thereof the following new paragraph:

"(2) Not later than 15 days before each issuance of debt obligations under section 6.26(a) occurring after September 30, 1988, the Financial Assistance Corporation shall notify each System institution required to purchase Corporation stock under subsection (a)(3) of the amount of the stock it is required to purchase."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 142 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

Sec. 646. Effective October 1, 1989, section 6.29 of the Farm Credit Act of 1971 (12 U.S.C. 2278b-9) is amended by—

(1) in subsection (a)(1), striking out "Except as provided in paragraph (2)," and inserting in lieu thereof "Except as provided in paragraphs (2) and (3).";

(2) adding at the end of subsection (a) the following new paragraph:

"(3) PERIODIC PURCHASES.—(A) Notwithstanding any other provision of this section, the Financial Assistance Corporation shall establish a program under which System institutions shall purchase, as debt obligations are issued under section 6.26(a), stock of the Corporation in amounts described in this paragraph.

"(B) The program shall provide, with respect to each issuance of debt obligations under section 6.26(a), that each System institution originally required to purchase stock under paragraph (1), or the successor thereto, shall purchase Corporation stock in an amount determined by multiplying the amount of stock such institution was originally required to purchase under that paragraph by a percentage equal to the percentage which the amount of the issuance bears to \$4,000,000,000.

"(C) The Financial Assistance Corporation shall promptly rescind purchases of stock of the Corporation made under paragraph (1) or (2) by System institutions and refund to such institutions, or their successors, the purchase price for the stock, except that, with respect to each issuance of debt obligations that occurs before October 1, 1988, the Corporation shall deduct from any refund due any System institution, and retain, the amount payable by such institution.

(3) in subsection (c)—

(a) striking out "Within" and inserting in lieu thereof "(1) Within";

(b) striking out "(1) the" and inserting in lieu thereof "(A) the"; and

(c) striking out "(2) in the case" and inserting in lieu thereof "(B) in the case"; and

(4) adding at the end thereof the following new paragraph:

"(2) Not later than 15 days before each issuance of debt obligations under section 6.26(a) occurring after September 30, 1988, the Financial Assistance Corporation shall notify each System institution required to purchase Corporation stock under subsection (a)(3) of the amount of the stock it is required to purchase."

Mrs. SMITH of Nebraska (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nebraska?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

CONFERENCE REPORT ON H.R. 4587, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1989

Mr. BEILENSEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 553 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 553

Resolved, That upon the adoption of this resolution it shall be in order to consider the conference report on the bill (H.R. 4587) making appropriations for the legislative branch for the fiscal year ending September 30, 1989, and all points of order against the conference report and against its consideration are hereby waived, subject to copies of the conference report being available for at least two hours. The conference report shall be considered as read when called up for consideration.

The SPEAKER pro tempore (Mr. DELLUMS). The gentleman from California [Mr. BEILENSEN] is recognized for 1 hour.

Mr. BEILENSEN. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Missouri [Mr. TAYLOR] pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 553 is the rule waiving all points of order against the consideration of the conference report on H.R. 4587 the legislative branch appropriations for fiscal year 1989.

The rule further provides that the conference report shall be available for Members at least 2 hours prior to its consideration.

Finally, Mr. Speaker, the rule provides that when the conference report is called up for consideration, it shall be considered as having been read.

Mr. Speaker, the rule before us today simply allows the House, after proper debate time to vote up or down the conference report for appropriations for the legislative branch for fiscal year 1989.

The programs and amounts of this conference report fall within the guidelines of the agreed budget summit of last year. Conferees, in order to avoid the need for a continuing resolution have been diligently working on presenting to the House the 13 individual appropriation bills and they are to be commended for their effort.

Mr. Speaker, with only 2 days remaining before the start of the new fiscal year any further delays only brings us closer to a continuing resolution. The effort of all the conferees and their staff would have been wasted. It is important that the House, in avoiding the need for a continuing resolution, finish the remaining business and pass these last few appropriation bills.

I urge my colleagues to support the resolution.

Mr. TAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 553 is a rule under which the House will take final action on the legislative branch appropriations conference report for fiscal 1989.

The rule waives all points against the provisions of the conference agreement, which was concluded and filed yesterday, and which has been available to Members for the required 2 hours.

Mr. Speaker, when the House considers conference reports, we often have to dispose of amendments in technical disagreement through a series of motions that are routinely adopted in both the House and the Senate.

Due to the subject matter of this conference report, the leadership of the Committee on Appropriations asked the Committee on Rules to fashion a rule to avoid last-minute mischief in the Senate.

The conference agreement includes all of the items that would have been brought back in technical disagreement, thus we will not have a series of motions to dispose of them after the conference report is adopted. Under this rule, the vote on adoption of the conference report will be the final action on the matter for both the House and the Senate.

Mr. Speaker, this rule is a way of avoiding additional Senate amendments when the report is considered there, and I urge its adoption.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I have no further requests for time. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the consideration of the conference report to the bill, H.R. 4587, making appropriations for the legislative branch for the fiscal year ending September 30, 1989, and for other purposes, and that I may include extraneous and tabular material.

The SPEAKER pro tempore. Is there objection to request of the gentleman from California?

There was no objection.

Mr. FAZIO. Mr. Speaker, pursuant to the provisions of House Resolution 553, I call up the conference report on

the bill (H.R. 4587) making appropriations for the legislative branch for the fiscal year ending September 30, 1989, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 553, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of September 28, 1988.)

The SPEAKER pro tempore. The gentleman from California [Mr. FAZIO] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. PORTER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are bringing to the House the conference agreement on the Legislative Branch Appropriations Act, 1989 (H.R. 4587). The House and Senate conferees have reached agreement on the 26 amendments of the Senate to the House bill.

The agreement provides \$1,807,624,200 in new budget authority for Congress and other agencies of the legislative branch for fiscal year 1989. This is an increase of just 3.4 percent over the current year. Excluding the Senate items, where the increase is almost 11 percent, the agreement allows for a modest increase of 1.5 percent over fiscal year 1988. Clearly, the legislative branch is doing its share in helping keep down the Federal deficit. This token increase is actually a decline in real terms and will undoubtedly require some cutbacks—and certainly stringent fiscal management.

It is interesting to compare the token increase of 3.4 percent in the legislative budget to the President's budget request for the judicial branch. That increase is about 17.9 percent over the current fiscal year. So we are doing a good job of controlling and managing our resources in the legislative branch.

Mr. Speaker, in reaching our agreement with the Senate, we met and even surpassed our goals to make reductions in legislative branch spending as required by the allocations under the budget resolution and the economic summit agreement on deficit reduction. We had a budget authority target of \$1.913 billion, and we did \$44 million better than that. On outlays, we came in at \$45 million below the target.

The conference agreement is also below the Gramm-Rudman-Hollings baseline. That is the level where the fiscal year 1988 appropriated levels are adjusted only for cost-of-living adjust-

ments and other mandatory spending. That would be the break-even level for fiscal 1989. The legislative budget is

\$32 million below that baseline in budget authority, and \$22 million below the outlay baseline.

I will insert at this point in the RECORD a tabulation of the conference agreement.

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference	Conference com- pared with enacted
TITLE I - CONGRESSIONAL OPERATIONS						
SENATE						
Mileage of the Vice President and Senators and Expense Allowances of the Vice President, the President Pro Tempore, Majority and Minority Leaders, Majority and Minority Whips, and Chairmen of the Majority and Minority Conference Committees						
Mileage of the Vice President and Senators	60,000	60,000		60,000	60,000	
Expense allowances of the Vice President, the President Pro Tempore, Majority and Minority Leaders Majority and Minority Whips, and Chairmen of the Majority and Minority Conference Committees:						
Vice President	10,000	10,000		10,000	10,000	
President Pro Tempore of the Senate	10,000	10,000		10,000	10,000	
Majority Leader of the Senate	10,000	10,000		10,000	10,000	
Minority Leader of the Senate	10,000	10,000		10,000	10,000	
Majority Whip of the Senate	5,000	5,000		5,000	5,000	
Minority Whip of the Senate	5,000	5,000		5,000	5,000	
Chairmen of the Majority Conference Committee	3,000	3,000		3,000	3,000	
Chairmen of the Minority Conference Committee	3,000	3,000		3,000	3,000	
Representation allowances for the Majority and Minority Leaders	20,000	20,000		20,000	20,000	
Total, expense allowances	76,000	76,000		76,000	76,000	
Total, Vice President and Senators	136,000	136,000		136,000	136,000	
Salaries, Officers and Employees						
Office of the Vice President	1,145,000	1,168,000		1,168,000	1,168,000	+ 23,000
Office of the President Pro Tempore	153,000	156,000		156,000	156,000	+ 3,000
Office of the Deputy President Pro Tempore	90,000	92,000		23,000	23,000	-67,000
Offices of the Majority and Minority Leaders	1,388,000	1,416,000		1,416,000	1,416,000	+ 28,000
Offices of the Majority and Minority Whips	431,000	440,000		440,000	440,000	+ 9,000
Conference committees	1,113,000	1,135,000		1,135,000	1,135,000	+ 22,000
Offices of the secretaries of the Conference of the Majority and the Conference of the Minority	270,000	279,000		279,000	279,000	+ 9,000
Office of the Chaplain	115,000	117,000		117,000	117,000	+ 2,000
Office of the Secretary	8,005,000	8,165,000		8,165,000	8,165,000	+ 160,000
Administrative, clerical, and legislative assistance to Senators	109,605,500					-109,605,500
Office of the Sergeant at Arms and Doorkeeper	44,161,000	50,253,000		24,987,000	24,987,000	-19,174,000
Offices of the secretaries for the Majority and Minority	918,000	944,000		944,000	944,000	+ 26,000
Agency contributions	28,802,200	17,760,000		10,425,000	10,425,000	-18,377,200
Total, salaries, officers and employees	196,196,700	81,925,000		49,255,000	49,255,000	-146,941,700
Office of the Legislative Counsel of the Senate						
Salaries and expenses	1,764,000	2,265,000		1,799,000	1,799,000	+ 35,000
Office of Senate Legal Counsel						
Salaries and expenses	633,000	657,000		646,000	646,000	+ 13,000
Expense allowances for the Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate, and Secretaries for the Majority and Minority of the Senate						
	12,000	12,000		12,000	12,000	
Items.						
Contingent Expenses of the Senate						
Senate policy committees	2,203,000	2,203,000		2,203,000	2,203,000	
Inquiries and investigations	57,161,000	62,673,000		62,673,000	62,673,000	+ 5,512,000
Expenses of United States Senate Caucus on International Narcotics Control	325,000	325,000		325,000	325,000	
Secretary of the Senate	666,300	727,200		727,200	727,200	+ 60,900
Sergeant at Arms and Doorkeeper of the Senate	68,021,000	65,643,000		65,643,000	65,643,000	-2,378,000
Miscellaneous items	10,183,000	6,180,000		6,180,000	6,180,000	-4,003,000
Senators' official personnel and office expense account		154,544,000		151,065,000	151,065,000	+ 151,065,000
Stationery (revolving fund)	13,000	13,000		13,000	13,000	
Total, contingent expenses of the Senate	138,572,300	292,308,200		288,829,200	288,829,200	+ 150,256,900
Total, Senate	337,314,000	377,303,200		340,677,200	340,677,200	+ 3,363,200
HOUSE OF REPRESENTATIVES						
Payments to Widows and Heirs of Deceased Members of Congress						
Gratuities, deceased Members	89,500				358,000	+ 268,500
Mileage of Members						
Mileage of Members	210,000	210,000	210,000	210,000	210,000	

1 Transferred to new Senator's account under Misc. items.

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference	Conference compared with enacted
Salaries and Expenses						
House Leadership Offices						
Office of the Speaker.....	798,000	902,000	902,000	902,000	902,000	+104,000
Office of the Majority Floor Leader.....	708,000	828,000	828,000	828,000	828,000	+120,000
Office of the Minority Floor Leader.....	789,000	926,000	926,000	926,000	926,000	+137,000
Office of the Majority Whip.....	621,000	733,000	733,000	733,000	733,000	+112,000
Office of the Minority Whip.....	540,000	635,000	635,000	635,000	635,000	+95,000
Total, House leadership offices.....	3,456,000	4,024,000	4,024,000	4,024,000	4,024,000	+568,000
Members' Clerk Hire						
Clerk hire.....	174,556,000	182,477,000	178,828,000	178,828,000	178,828,000	+4,272,000
Committee Employees						
Professional and clerical employees on standing committees.....	49,102,000	71,770,000	51,067,000	51,067,000	51,067,000	+1,965,000
Committee on the Budget (Studies)						
Salaries and expenses.....	329,000	346,000	336,000	336,000	336,000	+7,000
Contingent Expenses of the House						
Standing Committees, Special and Select						
Salaries and expenses.....	52,418,000	56,124,000	54,092,000	54,092,000	54,092,000	+1,674,000
Allowances and Expenses						
Official Expenses of Members.....	81,523,000	86,376,000	82,068,000	82,068,000	82,068,000	+545,000
Supplies, materials, administrative costs and Federal tort claims.....	16,719,000	25,193,000	21,193,000	21,193,000	21,193,000	+4,474,000
Furniture and furnishings.....	1,005,000	1,265,000	1,265,000	1,265,000	1,265,000	+260,000
Stenographic reporting of committee hearings.....	550,000	800,000	800,000	800,000	800,000	+250,000
Reemployed annuitants reimbursements.....	1,118,000	1,380,000	1,380,000	1,380,000	1,380,000	+262,000
Government contributions.....	73,260,000	81,250,000	69,835,000	69,835,000	69,835,000	-3,425,000
Miscellaneous items.....	622,000	622,000	622,000	622,000	622,000
Total, allowances and expenses.....	174,797,000	196,886,000	177,163,000	177,163,000	177,163,000	+2,366,000
Total, contingent expenses of the House.....	227,215,000	253,010,000	231,255,000	231,255,000	231,255,000	+4,040,000
Committee on Appropriations (Studies and Investigations)						
Salaries and expenses.....	4,300,000	4,522,000	4,429,000	4,429,000	4,429,000	+129,000
Salaries, Officers and Employees						
Office of the Clerk.....	14,917,000	16,205,000	15,905,000	15,905,000	15,905,000	+988,000
Office of the Sergeant at Arms.....	21,180,000	24,033,000	951,000	951,000	951,000	-20,229,000
Office of the Doorkeeper.....	7,915,000	8,245,000	7,525,000	7,525,000	7,525,000	-390,000
Office of the Postmaster.....	2,517,000	2,760,000	2,610,000	2,610,000	2,610,000	+93,000
Office of the Chaplain.....	75,000	78,000	78,000	78,000	78,000	+3,000
Office of the Parliamentarian.....	716,000	746,000	746,000	746,000	746,000	+30,000
Office of the Parliamentarian.....	(496,000)	(526,000)	(526,000)	(526,000)	(526,000)	(+30,000)
Compilation of precedents of the House of Representatives.....	(220,000)	(220,000)	(220,000)	(220,000)	(220,000)
Office for the Bicentennial.....	243,000	261,000	261,000	261,000	261,000	+18,000
Office of the Law Revision Counsel.....	870,000	969,000	954,000	954,000	954,000	+84,000
Office of the Legislative Counsel.....	3,025,000	3,277,000	3,222,000	3,222,000	3,222,000	+197,000
Six minority employees.....	447,000	521,000	521,000	521,000	521,000	+74,000
House Democratic Steering Committee and Caucus.....	721,000	803,000	803,000	803,000	803,000	+82,000
House Democratic Steering Committee.....	(579,000)	(644,000)	(644,000)	(644,000)	(644,000)	(+65,000)
House Democratic Caucus.....	(142,000)	(159,000)	(159,000)	(159,000)	(159,000)	(+17,000)
House Republican Conference.....	721,000	803,000	803,000	803,000	803,000	+82,000
Other Authorized Employees.....	1,182,000	1,295,000	1,182,000	1,182,000	1,182,000
Technical assistant, Office of the Attending Physician.....	(59,000)	(59,000)	(66,000)	(66,000)	(66,000)	(+7,000)
L.B.J. Interns and Former Speakers' staff.....	(1,012,000)	(1,134,000)	(1,014,000)	(1,014,000)	(1,014,000)	(+2,000)
Miscellaneous items.....	(111,000)	(102,000)	(102,000)	(102,000)	(102,000)	(-9,000)
Total, salaries, officers and employees.....	54,529,000	59,996,000	35,561,000	35,561,000	35,561,000	-18,968,000
Total, salaries and expenses.....	513,487,000	576,145,000	505,500,000	505,500,000	505,500,000	-7,987,000
Total, House of Representatives.....	513,786,500	576,355,000	505,710,000	505,710,000	506,068,000	-7,718,500
JOINT ITEMS						
Contingent Expenses of the Senate						
Joint Economic Committee.....	3,179,000	3,430,000	3,330,000	3,330,000	3,330,000	+151,000
Joint Committee on Printing.....	1,037,000	1,199,000	1,143,000	1,143,000	1,143,000	+106,000
Joint Congressional Committee on Inaugural Ceremonies of 1989.....	700,000	700,000	775,000	+775,000
Total, contingent expenses of the Senate.....	4,216,000	5,329,000	4,473,000	5,173,000	5,248,000	+1,032,000

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference	Conference com- pared with enacted
Contingent Expenses of the House						
Joint Committee on Taxation	4,219,000	4,500,000	4,346,000	4,346,000	4,346,000	+127,000
Office of the Attending Physician						
Medical supplies, equipment, expenses, and allowances	1,493,000	1,414,000	1,414,000	1,414,000	1,414,000	-79,000
CAPITOL POLICE BOARD						
Capitol Police						
Salaries			25,673,000	52,922,000		
Sergeant at Arms and Doorkeeper of the Senate					27,249,000	+27,249,000
Sergeant at Arms of the House of Representatives					25,673,000	+25,673,000
General expenses	1,734,000	2,189,000	1,887,000	1,887,000	1,887,000	+153,000
Technical Security Countermeasures Office						
Technical Security Countermeasures Office (by transfer)				(150,000)		
Reappropriation				500,000		
Total, Capitol Police Board	1,734,000	2,189,000	27,560,000	55,309,000	54,809,000	+53,075,000
Official Mail Costs						
Expenses	82,163,000	58,926,000	53,926,000	26,000,000	53,926,000	-28,237,000
Capitol Guide Service						
Salaries and expenses	1,137,000	1,220,000	1,220,000	1,220,000	1,220,000	+83,000
Statements of Appropriations						
Preparation	19,000	20,000	20,000	20,000	20,000	+1,000
Total, joint items	94,981,000	73,598,000	92,959,000	93,482,000	120,983,000	+26,002,000
OFFICE OF TECHNOLOGY ASSESSMENT						
Salaries and expenses	16,901,000	18,321,000	17,505,000	18,203,000	17,937,000	+1,036,000
BIOMEDICAL ETHICS BOARD						
Salaries and expenses	100,000					-100,000
Reappropriation	150,000					-150,000
Total, Biomedical Ethics Board	250,000					-250,000
CONGRESSIONAL AWARD BOARD						
Congressional Award Program	189,000					-189,000
CONGRESSIONAL BUDGET OFFICE						
Salaries and expenses	17,886,000	18,900,000	18,361,000	18,361,000	18,361,000	+475,000
ARCHITECT OF THE CAPITOL						
Office of the Architect of the Capitol						
Salaries	5,925,000	7,236,000	6,532,000	6,532,000	6,532,000	+607,000
Contingent expenses	48,000	100,000	100,000	100,000	100,000	+52,000
Total, Office of the Architect of the Capitol	5,973,000	7,336,000	6,632,000	6,632,000	6,632,000	+659,000
Capitol Buildings and Grounds						
Capitol buildings	12,793,000	21,180,000	15,471,000	15,471,000	15,471,000	+2,678,000
Capitol grounds	3,404,000	3,911,000	3,771,000	3,771,000	3,771,000	+367,000
Senate Office Buildings	23,265,000	38,459,000		24,086,000	24,086,000	+821,000
House Office Buildings	30,547,000	32,910,000	28,895,000	28,895,000	28,895,000	-1,652,000
Capitol Power Plant	26,533,000	26,855,000	26,735,000	26,735,000	26,735,000	+202,000
Offsetting collections	-1,950,000	-1,950,000	-1,950,000	-1,950,000	-1,950,000	
Net, Capitol Power Plant	24,583,000	24,905,000	24,785,000	24,785,000	24,785,000	+202,000
Total, Capitol buildings and grounds	94,592,000	121,365,000	72,922,000	97,008,000	97,008,000	+2,416,000
Total, Architect of the Capitol (except items in Title II)	100,565,000	128,701,000	79,554,000	103,640,000	103,640,000	+3,075,000
LIBRARY OF CONGRESS						
Congressional Research Service						
Salaries and expenses	43,022,000	47,889,000	44,684,000	44,684,000	44,684,000	+1,662,000
Speaker's Civic Achievement Awards Program						
Expenses		680,000				
Total, Library of Congress	43,022,000	48,569,000	44,684,000	44,684,000	44,684,000	+1,662,000

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference	Conference com- pared with enacted
GOVERNMENT PRINTING OFFICE						
Congressional printing and binding.....	70,359,000	77,700,000	72,000,000	72,000,000	72,000,000	+1,841,000
John C. Stennis Center						
John C. Stennis Center fund for Public Service Training and Development.....				10,000,000	7,500,000	+7,500,000
Total, title I - Congressional Operations.....	1,195,253,500	1,319,447,200	830,773,000	1,206,757,200	1,231,850,200	+36,596,700
TITLE II - OTHER AGENCIES						
BOTANIC GARDEN						
Salaries and expenses.....	2,221,000	2,521,000	2,521,000	2,521,000	2,521,000	+300,000
LIBRARY OF CONGRESS						
Salaries and expenses.....	143,866,000	164,189,000	152,647,000	153,042,000	153,042,000	+9,176,000
Authority to spend receipts.....	-5,000,000	-5,000,000	-5,000,000	-5,000,000	-5,000,000	
Net, Salaries and expenses.....	138,866,000	159,189,000	147,647,000	148,042,000	148,042,000	+9,176,000
Copyright Office, salaries and expenses.....	19,061,000	20,173,000	19,697,000	19,697,000	19,697,000	+636,000
Authority to spend receipts.....	-7,931,000	-8,034,000	-8,034,000	-8,034,000	-8,034,000	-103,000
Reappropriation.....	150,000					-150,000
Net, Copyright Office, salaries and expenses.....	11,280,000	12,139,000	11,663,000	11,663,000	11,663,000	+383,000
Books for the blind and physically handicapped, salaries and expenses.....	36,186,000	37,692,000	36,474,000	36,474,000	36,474,000	+288,000
Furniture and furnishings.....	5,816,000	3,575,000	3,381,000	3,381,000	3,381,000	-2,435,000
Total, Library of Congress (except items in Title I).....	192,148,000	212,595,000	199,165,000	199,560,000	199,560,000	+7,412,000
ARCHITECT OF THE CAPITOL						
Library Buildings and Grounds						
Structural and mechanical care.....	6,741,000	8,975,000	7,500,000	7,500,000	7,500,000	+759,000
COPYRIGHT ROYALTY TRIBUNAL						
Salaries and expenses.....	662,000	637,000	633,000	633,000	633,000	-29,000
Authority to spend receipts.....	-533,000	-510,000	-510,000	-510,000	-510,000	+23,000
Net, Salaries and expenses.....	129,000	127,000	123,000	123,000	123,000	-6,000
GOVERNMENT PRINTING OFFICE						
Office of Superintendent of Documents, salaries and expenses.....	19,162,000	26,800,000	13,731,000	13,731,000	13,731,000	-5,431,000
(By transfer).....	(5,500,000)		(11,424,000)	(11,424,000)	(11,424,000)	(+5,924,000)
Total, Government Printing Office (except Congressional printing and binding).....	19,162,000	26,800,000	13,731,000	13,731,000	13,731,000	-5,431,000
GENERAL ACCOUNTING OFFICE						
Salaries and expenses.....	329,847,000	393,864,000	346,339,000	348,139,000	347,339,000	+17,492,000
GENERAL SERVICES ADMINISTRATION						
Expenses, Presidential Transition.....		2,000,000			2,000,000	+2,000,000
Total, title II - other agencies.....	550,248,000	646,882,000	569,379,000	571,574,000	572,774,000	+22,526,000
Grand total:						
New budget (obligational) authority.....	1,745,501,500	1,966,329,200	1,400,152,000	1,778,331,200	1,804,624,200	+59,122,700
Appropriations.....	(1,745,201,500)	(1,966,329,200)	(1,400,152,000)	(1,777,831,200)	(1,804,624,200)	(+59,422,700)
Reappropriations.....	(300,000)			(500,000)		(-300,000)
(By transfer).....	(5,500,000)		(11,424,000)	(11,574,000)	(11,424,000)	(+5,924,000)
RECAPITULATION						
TITLE I - CONGRESSIONAL OPERATIONS.....	1,195,253,500	1,319,447,200	830,773,000	1,206,757,200	1,231,850,200	+36,596,700
TITLE II - OTHER AGENCIES.....	550,248,000	646,882,000	569,379,000	571,574,000	572,774,000	+22,526,000
TITLE I - CONGRESSIONAL OPERATIONS						
Senate.....	337,314,000	377,303,200		340,677,200	340,677,200	+3,363,200
House of Representatives.....	513,786,500	578,355,000	505,710,000	505,710,000	506,068,000	-7,718,500
Joint items.....	94,981,000	73,598,000	92,959,000	93,482,000	120,983,000	+26,002,000
Office of Technology Assessment.....	16,901,000	18,321,000	17,505,000	18,203,000	17,937,000	+1,036,000
Biomedical Ethics Board.....	250,000					-250,000
Congressional Award Board.....	189,000					-189,000
Congressional Budget Office.....	17,886,000	18,900,000	18,361,000	18,361,000	18,361,000	+475,000
Architect of the Capitol (except Library buildings and grounds).....	100,565,000	128,701,000	79,554,000	103,640,000	103,640,000	+3,075,000

	FY 1988 Enacted	FY 1989 Estimate	House	Senate	Conference	Conference compared with enacted
Library of Congress:						
Congressional Research Service.....	43,022,000	47,889,000	44,684,000	44,684,000	44,684,000	+1,662,000
Speaker's Civic Achievement Awards Program.....		680,000				
Congressional printing and binding, Government Printing Office.....	70,359,000	77,700,000	72,000,000	72,000,000	72,000,000	+1,641,000
John C. Stennis Center.....				10,000,000	7,500,000	+7,500,000
Total, title I - congressional operations.....	1,195,253,500	1,319,447,200	830,773,000	1,206,757,200	1,231,850,200	+36,596,700
TITLE II - OTHER AGENCIES						
Botanic Garden.....	2,221,000	2,521,000	2,521,000	2,521,000	2,521,000	+300,000
Library of Congress (except items in Title I).....	192,148,000	212,595,000	199,165,000	199,560,000	199,560,000	+7,412,000
Architect of the Capitol (Library buildings and grounds).....	6,741,000	8,975,000	7,500,000	7,500,000	7,500,000	+759,000
Copyright Royalty Tribunal.....	129,000	127,000	123,000	123,000	123,000	-6,000
Government Printing Office (except congressional printing and binding).....	19,162,000	26,800,000	13,731,000	13,731,000	13,731,000	-5,431,000
General Accounting Office.....	329,847,000	393,864,000	346,339,000	348,139,000	347,339,000	+17,492,000
General Services Administration.....		2,000,000			2,000,000	+2,000,000
Total, title II - other agencies.....	550,248,000	646,882,000	569,379,000	571,574,000	572,774,000	+22,526,000
Grand total, new budget (obligational) authority.....	1,745,501,500	1,966,329,200	1,400,152,000	1,778,331,200	1,804,624,200	+59,122,700

We did add some items that had to be addressed at this time. For example, we provided several death gratuities for recently deceased Members of Congress. We provided authority to proceed with the legislative branch telecommunications plan. We have provided authority for an additional technical assistant in the attending physician's office. We also provided funds requested by the White House for the Presidential transition. And we have established a national garden that will be constructed with the contributions and volunteer time.

Mr. Speaker, the agreement worked out with the Senate conferees is a fair one and one that I believe can be supported by all Members.

I ask for an "aye" vote on the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. PORTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think this is a victory for the Congress. I commend the chairman of our subcommittee, the gentleman from California [Mr. FAZIO] for a magnificent job in addressing the needs of the Congress and holding the cost within the guidelines of Gramm-Rudman, within the 302(b) allocation and at a lower figure than the inflation increase that has been experienced in our economy over the last year.

I also commend the ranking member, the gentleman from California [Mr. LEWIS], and the other members of the subcommittee who worked so hard to make this a successful endeavor.

Mr. Speaker, 3.4-percent increase is a contribution to holding down the deficit. Even the gentleman from Minne-

sota, with whom I agree very often, will have to agree that this is an effort that is worthy of commendation.

The Senate and the House have no amendments in disagreement. All of the matters have been settled between them. I might say, Mr. Speaker, one matter that I wish had been settled more favorably was an effort by the Senate that the House did not agree to, to provide flextime for the Government Printing Office.

Almost all of the agencies of our Government have the authority to plan flexible schedules for their employees and that same effort, that same tool ought to be available to the Government Printing Office in managing its affairs, and to do so therefore in a better way, a more flexible way to meet its targets in handling the funds that we provide to it. I would urge my chairman and the other members of the committee that next year this provision be included. Whether it is in this bill or some other, it is something that has to be adopted.

Mr. FAZIO. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to the chairman of the subcommittee.

Mr. FAZIO. I thank the gentleman for yielding.

Mr. Speaker, I want to reassure my good friend and colleague, a member of our subcommittee, that we will give this matter complete consideration. It was denied without prejudice against the concept. I am sure when presented to us in appropriate form, and when we take into consideration our concerns about maintaining top quality printing services from GPO, which is essential in carrying out congressional operations, since the legislative process in the House and Senate requires a

significant amount of printing, some with very short and urgent deadlines, we may well agree to such a reform next year.

Mr. PORTER. I thank the gentleman for making his statement in the RECORD and I am hopeful to see that that is provided in the future.

With that one small disagreement with my chairman, let me say again that the chairman and ranking minority member and the members of the subcommittee did an excellent job. This is well within the Gramm-Rudman guidelines and ought to be adopted unanimously.

Mr. Speaker, I yield such time as he may consume to the ranking minority member on the subcommittee, the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. I thank the gentleman for yielding.

If the Chair would bear with me, I would like to yield to the gentleman from Minnesota.

Mr. FRENZEL. I thank the gentleman for yielding.

Mr. Speaker, the gentleman from Illinois indicated that I should commend the subcommittee. I do because the increase this year is less than in past years. Unfortunately, it is not yet good enough, and not quite up to my curmudgeonly standards. The subcommittee is doing better, but it can surely do even more. A freeze or even a 10-percent cut would be appropriate.

I do want to call attention to the statement of managers, amendment No. 7, where the House figure of \$54 million for official mail cost prevailed. The conferees urged the committees of jurisdiction to determine the feasibility for providing separate alloca-

tions for members for official mailing costs.

That is a very important matter. The Senate has devised a system. It is not a perfect one but is far better than ours. In ours, there is no way to assign accountability for mail to individual Members. We are still sitting with the large number of newsletters for which in the basement of the Rayburn Building the cut off date was nearly a month ago. They have not been sent out yet. They are being sent at tremendous cost to the taxpayers and in violation, at least, of the spirit of the law. The 60-day period is being violated every day.

So that is a good recommendation by the subcommittee and I urge the committee of jurisdiction to follow it up and devise such a system.

Mr. LEWIS of California. Mr. Speaker, I appreciate the patience shown in rearranging our schedule here. I want to first express my deep appreciation to our colleague on the subcommittee from Illinois who stepped in for me when I was tied up in another meeting, during the initial stages of this discussion.

Mr. Speaker, I want to bring to the attention of the House what I consider to be very professional and fine work by my chairman, the gentleman from California [Mr. FAZIO], as well as the staff of this subcommittee. They work hard to ensure that the House as well as the other body to use these resources we make available as efficiently as possible. It has already been mentioned that this bill is under our budget allocations, and considerable effort was made to find other areas of activity to reduce expenditure as the House carries forth its work.

There is ongoing concern and some controversy about the mail programs in both Houses. We are making an effort to explore reforms that will help to keep postal expenditures at as low a cost as possible.

Currently, we do have problems with the expanding flow as well as the cost of mail as expressed by the gentleman from Minnesota [Mr. FRENZEL].

Presently I must say that the Postmaster indicates the cost of approximately \$61 million ahead of us and in reality this bill underfunds that amount.

So we may have to address ourselves to that question further down the line.

I believe there is reason to take a look at the legitimate use of a 60-day limitation in terms of mass mailings to districts in our mail program. There is no doubt that Members and their staffs are very sophisticated in terms of dealing with the problems of the post office.

So when we have 100 Members deliver significant mailing packages on the 61st day before an election, obviously there is going to be backup and that

causes that mail to be delivered very close to election.

We are discussing those matters. It is not a perfect circumstance, nor will it be after we make additional changes. I must suggest however that a serious review needs to take place and it will be an important review.

Mr. FRENZEL. Mr. Speaker, will the gentleman yield further?

Mr. LEWIS of California. I yield to the gentleman from Minnesota.

Mr. FRENZEL. I thank the gentleman for yielding.

Mr. Speaker, I do want to restate my strongest commendation to the managers on the part of the House for their recommendation for an accountability program in the mailing program. We have written some letters to the chairman of the Franking Commission, who, regrettably, is not on the floor at the moment, and the chairman has indicated that he would be willing to try to work that problem out with us, but indicated he was not terribly optimistic about it.

I hope that the Committee on Appropriations and my committee, the Committee on House Administration, will continue to press this matter because, often, all of us are judged by the franking appetites of those of us who are the biggest hogs. If we could isolate the cost per Member I think it would contribute to a better spirit of frugality on all sides and would at least identify those who do not choose to make use of that spirit.

Mr. LEWIS of California. I thank the gentleman from Minnesota.

I must say his cooperation through his work on the Committee on House Administration as well as the Franking Commission has allowed this subcommittee to more effectively address some of these questions. That contact and communication, indeed, has brought us to the point where the bill comes to the floor with almost no controversy.

Mr. CONTE. Mr. Speaker, I rise in support of the conference report on the fiscal 1989 appropriations for the legislative branch and related agencies.

Mr. Speaker, as we near the end of the fiscal year, and as we continue our efforts to avoid a continuing resolution, we must keep our own house in order. That is what this bill does, and I commend the subcommittee chairman, Vic FAZIO, the ranking member, JERRY LEWIS, and the other conferees for their work on the bill.

The members of this subcommittee, myself included, have to dodge a lot of bullets, knock down scores of Cloakroom rumors, and endure countless conspiratorial theories in dealing with this bill. The facts are that there is no change at all in current law relating to Members' pay. What you see is what you get.

The bill appropriates \$1.8 billion for the legislative branch, which is \$162 million below the budget requests. About two-thirds of the total amount is for congressional operations, with the remainder going to other agencies such as the General Accounting Office, the Government Printing Office, and nonlegislative activities of the Library of Congress.

In terms of our trillion dollar Federal Budget, the entire legislative branch costs approximately two-tenths of 1 percent. The cost of running the House of Representatives is five-hundredths on 1 percent of the Federal budget—hardly a blip on OMB's charts.

Even so, the conferees have whittled down the budget requests by \$162 million, or 9 percent. The bill is below the 302(b) allocations in both budget authority and outlay.

You can vote for this bill. And I urge you to do so as we continue our considerable progress toward enactment of all 13 annual appropriations bills.

□ 1215

Mr. FAZIO. Mr. Speaker, I have no further requests for time.

Mr. LEWIS of California. Mr. Speaker, I have no further requests for time.

Mr. FAZIO. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. DELLUMS). The question is on the conference report.

The question was taken; and the Speaker pro tempore, announced that the ayes appeared to have it.

Mr. FRENZEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 253, nays 133, not voting 45, as follows:

[Roll No. 365]

YEAS—253

Ackerman	Boggs	Clinger
Akaka	Bonior	Coelho
Alexander	Borski	Coleman (TX)
Anderson	Bosco	Collins
Andrews	Boucher	Conte
Annunzio	Boxer	Conyers
Anthony	Brennan	Cooper
Applegate	Brown (CA)	Costello
Aspin	Bruce	Coughlin
Atkins	Bryant	Coyne
AuCoin	Bustamante	Crockett
Badham	Byron	Darden
Baker	Campbell	Davis (MI)
Barnard	Cardin	de la Garza
Bateman	Carper	DeFazio
Bates	Carr	Dellums
Bellenson	Chandler	Derrick
Bennett	Chapman	Dicks
Berman	Chappell	Dixon
Bevill	Clarke	Donnelly
Bilbray	Clay	Downey
Bliley	Clement	Durbin

Dwyer	Levin (MI)	Ray	Patterson	Shays	Stangeland
Dyson	Levine (CA)	Richardson	Penny	Shumway	Stenholm
Early	Lewis (CA)	Rinaldo	Petri	Shuster	Stump
Edwards (CA)	Lewis (FL)	Robinson	Pursell	Slattery	Sundquist
Edwards (OK)	Lewis (GA)	Rodino	Regula	Slaughter (VA)	Swindall
English	Lipinski	Rogers	Ridge	Smith (NE)	Tallon
Espy	Livingston	Rose	Roberts	Smith (TX)	Tauke
Evans	Lowery (CA)	Rostenkowski	Roth	Smith, Denny	Tauzin
Fascell	Lowry (WA)	Rowland (GA)	Roukema	(OR)	Upton
Fazio	Lukens, Thomas	Roybal	Rowland (CT)	Smith, Robert	Vander Jagt
Feighan	Madigan	Russo	Saxton	(NH)	Weber
Fish	Manton	Sabo	Schaefer	Smith, Robert	Wyden
Flake	Markey	Salki	Schuetz	(OR)	Yatron
Florio	Martinez	Savage	Schulze	Snowe	Young (FL)
Foglietta	Matsui	Sawyer	Sensenbrenner	Solomon	
Foley	Mavroules	Scheuer	Sharp	Spence	
Ford (MI)	Mazzoli	Schroeder			
Ford (TN)	McCloskey	Schumer			
Frank	McDade	Sisisky			
Frost	McGrath	Skeen			
Gaydos	McHugh	Skelton			
Gejdenson	McMillen (MD)	Slaughter (NY)			
Gephardt	Mfume	Smith (IA)			
Gibbons	Mica	Smith (NJ)			
Gonzalez	Michel	Solarz			
Gordon	Miller (CA)	Spratt			
Grant	Moakley	St Germain			
Gray (PA)	Molinar	Staggers			
Green	Mollohan	Stallings			
Guarini	Montgomery	Stark			
Hamilton	Moody	Stokes			
Hatcher	Morella	Stratton			
Hawkins	Morrison (CT)	Studds			
Hayes (IL)	Morrison (WA)	Swift			
Hefner	Mrazek	Synar			
Hertel	Murtha	Taylor			
Hochbrueckner	Myers	Thomas (CA)			
Horton	Natcher	Thomas (GA)			
Hoyer	Nichols	Towns			
Hughes	Nowak	Traxler			
Hyde	Oakar	Udall			
Jeffords	Oberstar	Valentine			
Jenkins	Obey	Vento			
Jones (NC)	Olin	Visclosky			
Jones (TN)	Ortiz	Volkmer			
Jontz	Owens (NY)	Walgren			
Kanjorski	Owens (UT)	Watkins			
Kaptur	Panetta	Waxman			
Kastenmeier	Parris	Weiss			
Kennedy	Pashayan	Wheat			
Kennelly	Payne	Whittaker			
Kildee	Pease	Whitten			
Klecza	Pelosi	Williams			
Kolter	Pepper	Wilson			
Kostmayer	Perkins	Wise			
LaFalce	Pickett	Wolf			
Lancaster	Pickle	Wolpe			
Lantos	Porter	Wortley			
Leath (TX)	Price	Wyllie			
Lehman (CA)	Quillen	Yates			
Lehman (FL)	Rahall	Young (AK)			
Leland	Rangel				
Lent	Ravenel				

NAYS—133

Archer	Eckart	Hutto
Armey	Emerson	Inhofe
Ballenger	Erdreich	Ireland
Bartlett	Fawell	Jacobs
Barton	Fields	Johnson (CT)
Bereuter	Frenzel	Johnson (SD)
Billakis	Galleghy	Kasich
Broomfield	Gallo	Kyl
Brown (CO)	Gekas	Lagomarsino
Bunning	Gilman	Latta
Burton	Gingrich	Leach (IA)
Callahan	Glickman	Lightfoot
Cheney	Goodling	Lloyd
Coats	Gradison	Lott
Coble	Grandy	Lukens, Donald
Coleman (MO)	Gunderson	Lungren
Combest	Hall (TX)	Marlenee
Courter	Hammerschmidt	Martin (IL)
Craig	Hansen	Martin (NY)
Crane	Harris	McCollum
Dannemeyer	Hastert	McCrery
Daub	Hefley	McEwen
Davis (IL)	Henry	McMillan (NC)
DeLay	Herger	Meyers
DeWine	Hill	Miller (OH)
Dickinson	Holloway	Miller (WA)
DioGuardi	Hopkins	Moorhead
Dorgan (ND)	Houghton	Murphy
Dornan (CA)	Hubbard	Nielson
Dreier	Hunter	Packard

NOT VOTING—45

Bentley	Hayes (LA)	Rhodes
Boehly	Huckaby	Ritter
Boland	Kemp	Roe
Bonker	Kolbe	Schneider
Boulter	Konnyu	Shaw
Brooks	Lujan	Sikorski
Buechner	Mack	Skaggs
Dingell	MacKay	Smith (FL)
Dowdy	McCandless	Sweeney
Dymally	McCurdy	Torres
Flippo	Mineta	Torricelli
Garcia	Nagle	Trafficant
Gray (IL)	Neal	Vucanovich
Gregg	Nelson	Walker
Hall (OH)	Oxley	Weldon

□ 1234

The Clerk announced the following pairs:

On this vote:

Mr. Mineta for, with Mr. Boulter against.
Mr. Oxley for, with Mr. Shaw against.

Mr. BURTON of Indiana, Mrs. LLOYD and Mr. McMILLAN of North Carolina changed their vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RHODES. Mr. Chairman, I was unavoidably detained from the House during consideration of and during the vote on H.R. 4587, the legislative appropriations conference report.

I would like the RECORD to show that had I been present at that time, I would have voted "no."

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST CONFERENCE ON H.R. 1720, FAMILY WELFARE REFORM ACT OF 1987, AND AGAINST CONSIDERATION OF SUCH CONFERENCE REPORT

Mr. GORDON, from the Committee on Rules, submitted a privileged report (Rept. No. 100-1003) on the resolution (H. Res. 556) waiving certain points of order against the conference report on the bill (H.R. 1720) to replace the existing AFDC Program with a new Family Support Program which emphasizes work, child support, and need-based family support supplements, to amend title IV of the Social

Security Act to encourage and assist needy children and parents under the new program to obtain the education, training, and employment needed to avoid long-term welfare dependence, and to make other necessary improvements to assure that the new program will be more effective in achieving its objectives, and against consideration of such conference report, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 2749 NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

Mr. GORDON, from the Committee on Rules, submitted a privileged report (Rept. No. 100-1004) on the resolution (H. Res. 557) providing for the consideration of the bill (S. 2749) to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR A MOTION TO RECEDE AND CONCUR IN SENATE AMENDMENT NUMBERED 119 TO H.R. 4637, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAM APPROPRIATIONS ACT, 1989, WITH AN AMENDMENT

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 554 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 554

Resolved, That upon the adoption of this resolution it shall be in order to consider a motion, if offered by Representative Obey of Wisconsin, or his designee, to recede and concur in Senate amendment number 119 to the bill (H.R. 4637) making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 1989, and for other purposes, with an amendment printed in the report of the Committee on Rules accompanying this resolution. The motion shall be debatable for not to exceed one hour, to be equally divided and controlled by the proponent and a Member opposed thereto. The motion shall not be subject to a demand for a division of the question. The previous question shall be considered as ordered on the motion to final adoption without intervening motion, and all points of order against the motion are hereby waived.

The SPEAKER pro tempore (Mr. DELLUMS). The gentleman from Ten-

nessee [Mr. GORDON] is recognized for 1 hour.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 554 provides for the consideration of a motion, if offered by Representative OBEY of Wisconsin or his designee, to recede and concur in Senate amendment numbered 119 to the bill H.R. 4637, with an amendment printed in the report of the Committee on Rules accompanying this resolution.

The rule further provides 1 hour of debate on the motion, to be equally divided and controlled by the proponent and a Member opposed thereto. The motion is not subject to a demand for a division of the question, and all points of order against the motion are waived.

Mr. Speaker, Senate amendment numbered 119 to the conference report on the Foreign Aid Appropriations bill for fiscal 1989 was reported in technical disagreement. The managers on the part of the House are seeking to offer a motion to recede and concur in the Senate amendment with an amendment dealing with authorization requirements for programs funded in this appropriations legislation. The managers on the part of the Senate will move to concur in this House amendment to the Senate amendment.

The House version of H.R. 4637 had required the enactment of a foreign aid authorization bill before the expenditure of fiscal 1989 foreign aid appropriations. Since the other body has not yet passed such an authorization, the motion made in order by this rule would waive the House bill's authorization requirement.

The effect of this motion would be to permit appropriations to move forward on a wide variety of foreign aid measures, including security assistance, development aid, and economic support aid. This would allow money to flow for child survival and basic human needs assistance to the world's poorest people, in addition to providing aid to bolster allies like Israel and Egypt.

Although the motion would waive the general authorization requirement, it also contains authorization for certain specific programs. The amendment proposed by the motion would include authorization language for the Overseas Private Investment Corporation [OPIC], as set forth in title I of H.R. 5263 as passed by the House of Representatives on September 20, 1988, subject to certain limitations specified in the amendment. It further would provide an authorization for a capital increase in the World Bank, as contained in the amendment

in the nature of a substitute to the text of H.R. 4645, as ordered reported by the House Banking Committee on September 22, 1988. Finally, the amendment specified in the motion places a limit of \$77 million on war reserves stockpiles in foreign countries.

The motion on the amendment made in order by this rule will permit a 6-year authorization for a capital increase in the World Bank, and will enable the United States to meet its commitments to the Bank. This is one part of this amendment which especially merits my colleagues' support.

Mr. Speaker, the motion on this amendment under this rule will allow both Chambers to address authorization requirements for numerous foreign aid programs. This rule has strong bipartisan support, and I would urge my colleagues to adopt it.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a good rule. Whatever our feelings on foreign aid might be this rule is appropriate and necessary. Mr. Speaker, I have a number of requests for time. I support the rule. I urge the adoption of the motion of the gentleman from Wisconsin [Mr. OBEY].

Mr. Speaker, I yield 5 minutes to our distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, I rise in support of this rule because I believe there is more at stake here than the majority and minority interests. What is at stake here, quite frankly, is the national interest.

The President of the United States has assured me, and I take his assurance very seriously, that we need this bill. And we need the funds for security assistance. We are the leader of the free world not because we say so, but because we have made commitments to freedom, and those commitments are in the bill.

Mr. Speaker, this year in a spirit of bipartisan cooperation not seen around this body all that often the administration and the Congress have fashioned legislation that meets our national security needs in a balanced way.

There are funds for countries where we have military bases. There are funds for our allies to help them defend themselves. There are funds for Central America, aid to fledgling democracies, and there are funds to help developing nations of the Third World.

This bill has passed the House and the other body by lopsided majorities. It is not perfect, but I would ask to be shown a bill that is perfect coming out of either one of our houses these days.

It does contain some very delicate compromises, none of which is more delicate than the decision to authorize the general capital increase for the World Bank.

I am reminded; as matter of fact, I just got off the phone with our good friend, Barber Conable, who is currently in Europe held up in a motel momentarily because of demonstrations by the leftists on what we are out there proposing and the position that we have taken, and I am reminded, my colleagues on my left over here, of when all the criticism about the World Bank and when Barber Conable came back to us and told us, "You know what we've done out there? We've fired 500 people out of that organization to clean it up and make it lean and mean," and so he has done an outstanding job, and I have to take a good recommendation from him from time to time on what he sees as the best course of action for our country.

Now I know there are some to my left and to the right who may not like the action. Some want a 6-year authorization, and others want a 3-year authorization, and of course, I suppose, there are some who do not want any authorization at all.

□ 1245

But the provisions in this bill have been agreed upon by the White House, by the majority of the conferees. They have the support of the majority of the Banking Committee, and most importantly, they are absolutely crucial to insuring that this bill be signed into law.

This account is a very small part of our spending for foreign affairs, \$50 million out of \$16 billion, that is less than 0.006 percent, but the benefits to our Nation in economic, humanitarian, foreign policy goals, are enormous.

I say to my friends on our side of the aisle, much of this money will go to lending which supports market-oriented reforms that will achieve real sustainable growth in emerging democracies, something we strongly support.

You know, if we bow out of our commitment here and tend to minimize it or to decrease our effort, you know there are others out there who would like to step into the breach, and I am talking particularly about Japan with all its financial resources and what they can do to influence a number of these potential markets for us down the road apiece in these Third World countries.

Our failure to keep this program alive will lump us, of all things, with Libya, South Yemen, Cambodia, Vietnam, nations who refuse to participate in the World Bank. What kind of company is this to keep when we are the leaders, supposedly, of the free world?

My friends and my colleagues, I certainly ask you on this time around to support the rule.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Speaker, many of my colleagues and I have been following with great interest the renewed efforts of the World Bank, under the leadership of its president, Barber Conable, to target more of its lending to poverty alleviation. We have been pleased with the dialogue we have been able to maintain with the World Bank on specific measures to ensure that the Bank's activities have a positive impact on the poor, and that they help to achieve the overall poverty reduction objectives set forth by the Bank.

The motion on the amendment made in order by this rule will permit a 6-year authorization for a capital increase in the World Bank, and will enable the United States to meet its commitments to the Bank. This is one part of this amendment which especially merits my colleagues' support.

Mr. Speaker, the motion on this amendment under this rule will allow both Chambers to address authorization requirements for numerous foreign aid programs. This rule has strong bipartisan support, and I would urge my colleagues to adopt it.

Mr. QUILLEN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I will not take up the time of the House. I went before the Rules Committee yesterday to ask for this waiver on this very important matter, amendment 119. I urge my colleagues to vote for the waiver and then to vote for the rule.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Speaker, I would like to respectfully ask Members of both sides of the aisle to vote for this, but especially I am requesting Members on our side of the aisle to vote for the rule.

I would like to speak to the general capital increase for the World Bank.

Only eight countries in the world, as the gentleman from Illinois [Mr. MICHEL] mentioned a little while ago, have not approved the capital increase: Rwanda, Kampuchea, Yemen, Libya, Vietnam, Romania, the United Arab Emirates, and the United States. I do not think that is good company for us to be in.

The Japanese would like nothing better than for us to back out of our commitment. I was in Berlin for the World Bank IMF meeting over the weekend and on Monday. The Japanese Governor said that Japan would like to play a bigger role in the World Bank. Japan will gladly pay our share to take our leading role.

Failure to approve the general capital increase will weaken our leadership role in the World Bank and will signal to the international community that the United States no longer wishes to play that lead role.

Given the challenges ahead of us, we cannot afford to abdicate this leadership.

The capital increase voted by the member nations, with the vote of the U.S. representative, will provide \$20 billion per year in additional lending authority over 6 years. Our share would be only \$70 million per year over 6 years. This is a real bargain for the United States.

Last year the World Bank financed U.S. firms to the tune of \$1.6 billion. That is more than the total amount of all our contributions over the years since the United States formed the World Bank with 40 percent of the shares and with the approval and participation of 37 other nations 40 years ago.

May I add, Ohio last year had \$9.4 million in export sales through the World Bank. Florida, the biggest participant, had \$140 million in sales, almost three times the amount we are asking for here.

Today there are 151 participating nations, and the United States still holds the most shares, 18.75 percent. Japan will pay almost any price to buy our shares, and they have the money to do it, because they are so export-minded. Japan would like to throw our president, Barber Conable out. I am for Barber Conable. We are now the only country that has the veto power and we appoint the president.

Just a little while ago I received a press release from the Associated Press, UPI, Dow Jones, Reuters, and the Commodity News. This says, and if you do not believe what I say, listen to this:

Japan has never commanded such a powerful presence as at this year's joint annual meeting of the International Monetary Fund (IMF) and the World Bank in Berlin.

This is by a Japanese reporter, Akihiro Sato.

He said quoting an unnamed official: Japan's presence was so powerful here that I felt almost frightened." Further, that H. Onno Ruding, chairman of the IMF Policy Making Interim Committee agreed: "What is new about this meeting is that Japan is playing a very important role and I don't have any objection to that," said Ruding, who is Finance Minister of the Netherlands.

A very senior European monetary official predicted that Japan will be as strong as the United States by the year 2000. We've got to start thinking about that, he added.

I really cannot understand why any Representative to Congress in the United States would be against the \$50 million appropriated for fiscal year 1989 in this bill.

We are not just talking about the World Bank here. Without approval of amendment No. 119 there will be no military or economic aid to Israel, Egypt, the Philippines, Turkey, Greece, Morocco, Kenya, Tunisia, and Portugal.

I have a letter from Nicholas Brady, the new Secretary of the Treasury, in support of this rule. He adds:

Should the Foreign Operations Appropriation bill reach the President's desk without the GCI, I will recommend that the President veto the legislation.

And for what it means, money for the resistance fighters in Nicaragua would be out.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING. Mr. Speaker, I rise today in strong opposition to the rule. This rule should be opposed for two reasons.

First, this rule waives all points of order. There is nothing new about this type of approach. I generally oppose that approach, but I've gotten used to it.

However, this rule goes way beyond that. In essence this rule waives a point of order retroactively. Yesterday, the Chair ruled in favor of a point of order on what has come to be known as amendment 119. Now, this rule attempts to change the ruling of the Chair retroactively.

This type of an approach to legislation is an arrogant attempt to prostitute the legislative process. This type of an approach should be shunned by this body by voting down the rule.

Second, a vote today for this rule is a vote for the general capital increase to the World Bank.

The provision that prompted my point of order yesterday is authorizing language for a 6-year, \$14 billion general capital increase to the World Bank.

There comes a time when the United States should reassess their participation in the various multilateral lending institutions. Such a time is at hand with the World Bank.

It comes as no great secret that the U.S. Congress is concerned about these institutions. We are constantly checking up on them. We have found their loan portfolios to be in horrendous shape, their lending has hurt the environment and, in some instances, has hurt the U.S. economy. Unfortunately, the criticism usually comes after the fact of putting dollars in their pockets and our cries of reform fall on deaf, but well-funded, ears.

This is the problem with the general capital increase to the World Bank as contained in the foreign operations appropriations bill. Both sides of the aisle have issued sharp criticism of the Bank. But, instead of demanding reform before the dollars, we write a check and hope.

The time has come to speak out. The authorizing language contained in the report is for 6 years. If you do not say something now, you are not going to have a chance to do anything about it for 6 years.

If the GCI is necessary, as is argued, it should be able to stand a vote in this body on its own. By defeating this rule, we would force the general capital increase to stand on its own. To let this rule fly ultimately gives a 6-year free ride to the World Bank.

One final point, Mr. Speaker. There has arisen some question about possible funds to Israel in amendment 119. No one opposing this amendment is opposed to those funds. In fact, this situation could be remedied very easily by offering the motion on 119 and line out the GCI. Everyone here realizes that. I think that such a motion would pass this body without objection.

I have heard it stated that the Japanese might want to take our share of the World Bank. I do not have a big argument with that. Maybe they can do a better job of cleaning up what is at the World Bank than the United States has done over the recent past.

It was stated here on the floor that this bill has been considered by the House of Representatives. The general capital increase to the World Bank has never come to this floor, and we never have had a vote up or down on the general capital increase to the World Bank.

If we would just maybe clean up our banking laws to allow our own individual banks to compete in the world market, maybe then the Japanese would not be making the advances they have in the banking business.

I urge defeat of this rule.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. McMILLAN].

Mr. McMILLAN of North Carolina. Mr. Speaker, I rise in support of the rule on consideration of the general capital increase [GCI] for the World Bank. Many people have mischaracterized a general capital increase for the Bank as a bailout. This is unfortunate, as the \$70 million proposed over 6 years is in our national economic and strategic interest and represents an investment in our future leadership in the Bank and the world economy.

The question is no longer whether the capital should be increased, since 75 percent of the member nations already ratified the GCI. The crux of the issue is whether the United States will continue to exercise leadership in the Bank and, actually, be in a better position to leverage our influence in the future. Failure to participate in the GCI would cause a loss of our leadership, particularly since the only other countries which have not subscribed to the GCI include Libya, Vietnam, Kampuchea, Yemen, and Romania. That is not very good company. That leadership would shift to our major competitors such as Japan and West Germany.

Furthermore, as the largest shareholder in the Bank, of any member country, the United States owns over

18 percent of the Bank shares and votes that. United States failure to participate in the GCI would result in a drop of our share to 15.3 percent in April 1989 and to 11 percent by the end of the 6-year period.

Since this would be below 15 percent, the United States would lose its charter veto power and possibly the position of our Bank president. I firmly believe that we cannot afford to lose our position in this important forum as a leader promoting economic growth and development.

The bill includes language which allows Congress to continue close monitoring of World Bank lending over the life of the GCI—6 years. The Banking Committee is responsible for assessing the progress of U.S. initiatives in the Bank over the life of the GCI, and as a member of the Banking Committee, I intend to keep a watchful eye on its activities to ensure U.S. interests are well protected.

I urge my colleagues to support the rule.

□ 1300

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman for yielding time to me. I wish it could be for a little bit longer.

Mr. Speaker, I urge rejection of this rule. We passed the foreign operations appropriations bill in May, and the other body passed it in July. There was not a single word about the World Bank. Yesterday, we discovered that by legislative sleight of hand, we have an entirely new section dipping into the taxpayers' pocketbooks for some \$14 billion. Then we find this is exactly the same bill we approved just last week in the Committee on Banking, Finance and Urban Affairs. Now that bill has emerged out of thin air to appear in this appropriations bill. Harry Houdini would be impressed.

When we last left this mystery story, the presiding officer ruled, quite properly, that these provisions do not belong in this bill. Not willing to accept that decision, the legislative magicians have brought us this new ploy to overturn the rules and to try this trick again. What this rule means is that the House of Representatives will be given no chance to debate and vote on a 6 year, \$14 billion increase in the American taxpayers' obligation to the World Bank.

Only by defeating this entire foreign operations bill would there be any way for the House to decide whether the American people should continue and expand their support for an organization that is providing assistance to Ethiopia's brutal dictator, the worst human rights violator in the world; to our strategic adversaries such as China, Hungary, Yugoslavia; and to

our growing economic competitors in India, Korea, Argentina, and Brazil.

So our only opportunity is to vote against this rule. By manipulating the rules, this choice is forced upon us. Every time one of these legislative tricks is played, the American people lose confidence in our credibility. Then we lament that people do not go and vote in the polls on election day. Why should they when Congress acts in this way?

For those of us who want to debate and vote on the World Bank bill, this is a bitter moment. The Democrat leadership must resort to tricks to get this bill through, because they know it could not stand the test of full debate.

The American people do not want their money to be spent on these loans to Communist countries, but the Democrat leadership in this body wants to ignore the American people.

This is a sad example of unbridled legislative arrogance. I ask that we vote against this rule.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. ROTH. I am happy to yield to the gentleman.

Mr. BURTON of Indiana. Mr. Speaker, it has been brought to my attention that much of the money that is going to be utilized by the World Bank and loaned out would be going to countries that allow abortion and use government funds for that, which means that American taxpayers' dollars will be used for funding abortions in those countries. I just wanted to know, is the gentleman aware of that, and does he agree that that is what some of this money will be used for?

Mr. ROTH. Reclaiming my time, Mr. Speaker, I cannot answer that question. The World Bank does assist Ethiopia and other countries that have huge human rights violations, and nothing can be said to dispute that. This is not the way this bill should be brought before us. If this bill is good enough, it should come and stand on its own merits, not be sneaked in, so we can debate these issues.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Speaker, 73 loans involved in this swept right through.

Mr. Speaker, I rise in opposition to this rule because it makes a mockery of the legislative process. Last night, the Chair sustained the point of order by the gentlemen from Kentucky because the language authorized the general capital increase for the World Bank is nongermane to the appropriations bill. In fact, it was added to the conference report at the last minute to sidestep what would be a sure defeat for the measure if it were unprotected and considered separately in this

Chamber. Now we are asked to vote on a rule which, if approved, will retroactively repeal the Chair's determination.

In spite of the ingenious efforts to pull the wool over the eyes of the American taxpayers, this institution will be held accountable. What we are faced with here is simply an up or down vote to ratify a 6 year, \$14 billion funding increase for the World Bank. This vote has nothing to do with aid to Israel or authorizations for the Overseas Private Investment Corporation. It is a vote to give the World Bank more taxpayer money to bail out international bankers and Third World deadbeats.

In all, total U.S. taxpayer liability to the bank will be \$30 billion if this resolution is adopted. When you consider that nearly all of the losses now incurred by U.S. money center banks in recent years are the result of international loans—loans to the same countries that the World Bank lends to—it is obvious that the \$30 billion in callable capital is at substantial risk. It is hard to justify such a risk when we have a \$150 billion deficit, and a savings and loan crisis that requires over \$50 billion in capital to resolve.

Supporters of the World Bank insist that this recapitalization is needed to maintain our country's leadership position in the institution and veto power over Bank charter changes. First, let me clarify that the United States will not lose its veto power if the GCI is not approved this year. According to the Bretton Woods Fund, the United States share in the fund would fall to, at most, 15.32 percent, which is above the 15-percent need to maintain veto power.

Second, let's look at what that leadership has done for us thus far. Between 1983 and 1987, every single loan opposed by the United States—73 in all—was approved by the Bank over our objections. Every single one. In addition, United States law mandates that the United States executive director at the World Bank oppose loans to countries that violate human rights or support terrorism, yet the bank made loans to Ethiopia, Laos, Syria, South Yemen, and Uganda. Seventy five percent of the Bank's African agricultural projects and 40 percent of the education projects were failures. Total non-performing loans now amount to three times the Bank's stated profit for 1987.

In summary, Mr. Speaker, with U.S. leadership, the World Bank promotes money losing public works projects, irresponsible LDC spending policies, a trillion-dollar Third World debt crisis, environmental and ecological devastation, and massive human rights violations. And now, with this legislation, the World Bank will be required to use its resources to provide debt relief to developing countries when here at

home, American farmers and homeowners have no protection from bank foreclosures?

Clearly, this is leadership we can do without. And it concerns me that this Congress wants to fork over millions of dollars in direct appropriations, and billions of dollars in future liabilities, to the World Bank without any scrutiny or accountability. If we allow it to happen this year, Mr. Speaker, there's no telling what kind of scheme the House leadership will cook up next year when we are faced with a request to double U.S. funding to the International Monetary Fund.

Mr. Speaker, the GCI authorization is bad legislation, and this is a bad rule that only perpetuates the disgraceful budget process of the Congress. A vote for this resolution is a vote to increase funding for the World Bank. I urge my colleagues to defeat it.

[The Heritage Foundation, May 23, 1988]

WORLD BANK SNOOKERS U.S. CONGRESS, AGAIN

INTRODUCTION

This year Congress is being asked by the Reagan Administration to approve an extra \$14 billion in cash and guarantees for the World Bank. This would be the United States' contribution to the World Bank's \$74.8 billion "general capital increase." This increase would nearly double the size of the Bank.¹ Congress has good reason to view unfavorably this gargantuan increase in the Bank's size. As it is, Congress already is very concerned about the failure of World Bank lending to promote economic growth in less developed countries (LDCs). In addition, Congress has questioned whether World Bank lending serves other U.S. economic, political, and ethical interests. As a result, Congress, through explicit legislation, has directed the U.S. executive director at the World Bank and other multilateral development banks to oppose loans, for example, to foreign industries that compete directly with U.S. enterprises or to countries that abuse the human rights of their citizens.² Yet all of Congress' efforts have failed to stop such lending.

Ignoring U.S. Views. In the most recent five years for which data have been assembled—U.S. fiscal years 1983-1987—all 73 loans of the World Bank Group which the U.S. has opposed, through either abstention or voting "no," nonetheless were approved by the Bank (see table). These loans, which are contrary to U.S. interests, total over \$5 billion in World Bank commitments; of this, the U.S. share is approximately \$1 billion. Similarly, in the 1978 to 1982 period, another 74 loans were approved over U.S. opposition. Countless other loans that the U.S. did support with its vote, moreover, have been contrary to sustainable economic development and private sector growth in the Third World.

U.S. Treasury officials argue that more money for the World Bank serves U.S. interests since America's influence at the Bank is substantial. The evidence contradicts this. Were this true, one would expect that at least a few loans opposed by the U.S. would have been blocked. Instead, the World Bank consistently opposes U.S. interests as legislated by Congress. Until it can remedy this situation, Congress should question the wisdom of giving \$14 billion more in U.S.

taxpayer funds and commitments to the World Bank.

A RECORD OF ECONOMIC FAILURES

The World Bank was established in 1944 as a lender of last resort for the reconstruction of Europe after World War II. In the 1960s and 1970s, the Bank turned increasingly to LDCs in Latin America, Africa and Asia. Bank officials maintained that providing these governments with massive transfers of wealth from the industrial Western countries would produce economic growth and prosperity. In fact, World Bank loans and the policies that they supported promoted mainly wasteful, money-losing public works projects, irresponsible LDC spending policies, and a trillion-dollar debt crisis in the Third World.

Congress understandably has been concerned about the World Bank's failed policies. The Chairman of the House of Representatives Banking Subcommittee on International Development Institutions and Finance, Walter E. Fauntroy, the District of Columbia Democrat, recently observed of the Bank's policy loans that "the track record has not been brilliant thus far and the Bank has been constrained to offer various explanations as to why so many of its adjustment programs have failed."³ A good part of this explanation lies in the fact that most Bank funds support government projects and enterprises. This is true even of the new and presumably reformist "policy-based" loans that are supposed to be made only if recipient countries alter their economic policies.

Typical bank loans have gone to a Peruvian government gold mine, the Mexican state steel sector, the Hungarian government's railroad, the Indian government's coal mines, petroleum finance for the government of Yugoslavia, and funds for rural collectives in the People's Republic of China.

SUBSIDIES FOR HUMAN RIGHTS ABUSERS

Many Third World and all East bloc countries abuse the human rights of their citizens as a matter of national policy. As a means to uphold the principles of justice for which the U.S. stands, Congress in 1977 mandated that the U.S. executive director at the World Bank, as well as U.S. representatives at the other multilateral development banks, oppose loans to countries that violate human rights.⁴ Yet numerous World Bank loans, approved over U.S. opposition, provide considerable assistance to regimes with notorious records of human rights violations. Example: the Marxist military government of Ethiopian dictator Mengistu Haile Mariam has received over \$600 million in loans from the Bank since 1979. During that period, over 4 million villagers were uprooted forcibly from their rural homes in eastern Ethiopia and relocated on collective farms.⁵ The government intends to have relocated nearly all of Ethiopia's 30 million rural dwellers by the mid-1990s. Very often villagers resist the move, and this is met with violence, beatings, rapes, and death.

Falling Teff Output. Still another Mengistu program—this one launched in 1984—has forcibly resettled 600,000 northern Ethiopians in the south. The French relief organization, Doctors Without Borders, estimates that 100,000 Ethiopians died during resettlement.⁶ After an international outcry, the program was suspended during 1986 and 1987. But Mengistu restarted the program last December and intends to resettle another 300,000 people in 1988. Last January, the World Bank approved another \$70 million for Ethiopia, over U.S. objections.

Aside from their brutality, Mengistu's programs also have been an economic disaster. Production of teff, Ethiopia's main food grain, fell by 60 percent between 1975 and 1982, while reserves that might have forestalled famine evaporated.⁷ Some three million residents of Eritrea and Tigre provinces now face starvation for the second time in four years.

Loans for Laos, Syria, Uganda. Similarly, in Laos, the government received a \$15 million World Bank loan in 1981, despite its detention of thousands of political prisoners in "re-education" camps, where many have starved or been executed for trying to escape.⁸

In Syria, President Hafez al-Assad's February 1982 massacre of 20,000 members of the banned Muslim Brotherhood in Hama was followed two months later by a \$22 million World Bank loan.

Uganda in 1985 received two World Bank loans worth \$34 million despite the large-scale human rights violations under President A. Milton Obote. An Amnesty International report released that year charged that Ugandan government security forces had been involved in mass detentions, routine torture, widespread abductions, and frequent killings of prisoners.

FINANCING SURPLUS COMMODITIES

While free trade and international competition help all countries, government subsidies to particular industries or sectors create economic distortions and unfairly harm more competitive enterprises, including American businesses. For this reason, Congress mandates that the U.S. executive director at the World Bank and other multilateral development banks oppose loans for:

Production of any commodity for export if the commodity is in surplus on world markets and the aid will cause substantial injury to U.S. producers of the same, similar, or competing commodities (often referred to as the "Obey amendment");¹⁰

Establishing or expanding production for export of palm oil, sugar, or citrus crops if the loans will injure U.S. producers of the same, similar, or competing agricultural commodities;¹¹

Production of any copper commodity for export or for the expansion or improvement of any copper mining, smelting, or refining capacity.¹²

Yet World Bank funds have gone for these purposes. Example: Brazil received \$155 million in April 1986 for expanded soybean production. Example: in the same month, Zaire received \$110 million for its copper industry.

POLITICAL GROUNDS FOR OPPOSITION

Congress requires the U.S. executive director to oppose World Bank loans for a variety of other reasons. Loans are to be opposed to countries that:

Provide refuge to individuals committing acts of international aircraft hijacking;¹³

Expropriate investments owned by U.S. citizens, repudiate contracts with U.S. citizens or impose discriminatory taxes which have a similar confiscatory effect, unless arrangements for prompt, adequate, and effective compensation have been made or good faith negotiations are underway;¹⁴

Failed, in the view of the President, to take adequate steps to prevent the illegal sale of narcotics or other controlled substances to U.S. government personnel stationed in that country or to prevent the illegal entry of such drugs from that country into the U.S.¹⁵

Yet Ethiopia, despite repeated expropriation of property, continues to receive loans.

In addition, Syria has received over \$145 million in Bank funds and South Yemen over \$130 million since the State Department in 1979 listed them as supporting terrorism.

SEEKING EFFECTIVE LEGISLATION

Senator Robert W. Kasten, the Wisconsin Republican, has sponsored recent legislation which requires that the Agency for International Development enhance its "early warning system" to anticipate the potential environmental impact of World Bank and other multilateral development bank (MDB) loans well in advance of their approval. When adverse environmental impact is found likely, the U.S. executive director at the appropriate MDB is to seek project changes to eliminate the problem.¹⁶ This legislation attempts to head off environmentally destructive projects, rather than specifying grounds for U.S. opposition at the time of votes on proposed loans.

Senator Steve Symms, the Idaho Republican, has attempted to bring some accountability to the World Bank and other MDBs with his Foreign Agricultural Investment Reform (FAIR) bill. Similar to—but stronger than—the 1979 Obey amendment, FAIR would require the U.S. executive director at all MDBs to oppose loans for the production of commodities that are already in world over-supply, otherwise economically unviable, or subsidized, as defined by the General Agreement on Tariffs and Trade (GATT). But if the World Bank or other MDB approves such assistance over U.S. opposition, the U.S. Treasury is to request a statement of policy from the MDB and may not agree to any capital increase or replenishment until this is forthcoming.¹⁷

FAIR also would mandate that U.S. paid-in contributions under any subsequent capital increase or replenishment for the World Bank or other MDBs would be that level to which the U.S. originally agreed minus a penalty for every commodity loan, as defined in the bill, approved over U.S. opposition.¹⁸ There is a danger that the contribution requested from the U.S. would be inflated, anticipating such an automatic cut. Still, FAIR is an important attempt to hold the World Bank accountable. The bill has passed the Senate four times in recent years, but has yet to pass the House.

CONCLUSION

Congressional requirements that the U.S. vote against proposed World Bank loans that harm U.S. economic, political, or ethical interests have yielded nothing. Every U.S.-opposed loan since 1977 has been approved by the World Bank, annually sending hundreds of millions of dollars in scarce resources to governments that abuse human rights, export terrorism, and pursue accelerated production of commodities already in world over-supply. In addition, billions of dollars in U.S.-supported World Bank loans annually flood the treasuries of developing countries either to finance or bail out countless state-run enterprises that private capital for good reason would not touch.

Using U.S. Leverage. Now the World Bank is coming hat-in-hand to Congress for \$14 billion in new cash and guarantees to expand further its questionable activities. The only real leverage U.S. lawmakers seem to have over the Bank is to deny such new resources. In light of past congressional impotence to influence Bank policy, a denial of new funds seems to be the only way for Congress to reassert its authority.

MELANIE S. TAMMEN,
Research Associate.

¹ Current capital stock of the 44-year old International Bank for Reconstruction and Development (IBRD) totals \$96 billion. The capital increase would boost subscribed capital to \$171 billion. The general capital increase is for the IBRD, the main body in the "World Bank" Group. The International Development Association (IDA) and the International Finance Corporation (IFC) affiliates are funded separately.

² In addition, the U.S. executive director also frequently opposes loans out of concerns Congress has not explicitly targeted, such as the potential displacement of foreign private capital or the inappropriate macro-economic policies of the recipient.

³ Opening statement at the House Banking subcommittee's May 4, 1988 hearing on "A General Capital Increase for the World Bank: Policy Based Lending and the World Bank."

⁴ International Financial Institutions Act of 1977, sec. 701(a) and (e) (Harkin amendment").

⁵ According to Karl Zinsmeister, a specialist on Sub-Saharan Africa and adjunct research associate at the American Enterprise Institute: "In a typical operation, government troops arrive in an agricultural hamlet, arrest the traditional chiefs, requisition all private property (crops, livestock, tools), then force the locals to break down their huts. They are then force-marched, carrying pieces of their houses on their backs, to a new central location . . . [which] often lacks adequate water supplies and is usually far removed from old fields. Much previously cultivated land is neglected and abandoned as a result . . . The old sites are bulldozed." See "All the Hungry People," *Reason*, June 1988, p. 25.

⁶ Cited in *ibid*.

⁷ *Ibid*.

⁸ Reportedly, 20 camps held 15,000 prisoners in 1980. See "Country Reports on Human Rights Practices for 1983," report submitted by the U.S. Department of State to the House Foreign Affairs Committee and the Senate Foreign Relations Committee, February 1984, p. 827.

⁹ See "Country Reports on Human Rights Practices for 1985," pp. 358-361.

¹⁰ Foreign Assistance Appropriations Act of 1979, secs. 609-610, introduced by Representative David R. Obey, the Wisconsin Democrat.

¹¹ International Financial Institutions Act of 1977, sec. 901(a), introduced by Representative Dawson Mathis, the Georgia Democrat.

¹² Supplemental Appropriations Act, 1985, sec. 501 and 502(c), introduced by Senator Jake Garn, the Utah Republican.

¹³ International Financial Institutions Act of 1977, sec. 701(a) and (e), introduced by then Representative Tom Harkin, the Iowa Democrat.

¹⁴ IDA III Act of 1972, adding sec. 12 to the 1960 IDA Act introduced by Representative Henry B. Gonzalez, the Texas Democrat; acceptance of a non-germane amendment mandated application to the IBRD as well.

¹⁵ IDA III Act of 1972, adding sec. 13 to the 1960 IDA Act, introduced by Representative Charles B. Rangel, the New York Democrat; acceptance of a non-germane amendment mandated application to the IBRD as well. (If the House now votes to reject Ronald Reagan's certification of Mexico, as the Senate did last April, it will have only a symbolic effect. Since all loans opposed by the U.S. at the World Bank are nevertheless approved, there is no reason to believe that Mexico will be penalized in any way as a result of this action.)

¹⁶ Sec. 537 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, of 1988; as included in the fiscal 1988 omnibus spending bill and replicated in authorizing legislation as well.

¹⁷ The Treasury also may not allow the letting of any instrument or note of credit by the institution either in the United States or denominated in U.S. dollars.

¹⁸ The aggregate penalty is calculated by projecting the U.S. share of the funding increase—for example, 18.75 percent for the current general capital increase—into the total amount of such commodity assistance the Bank approved during the previous funding period. For example, had the legislation been in place at the time of the recently negotiated general capital increase and the approved commodity loans, as defined by FAIR, in the previous period totaled \$2 billion, the U.S. would have to subtract 18.75 percent of \$2 billion—or \$375 million—from its paid-in contributions.

U.S. NEGATIVE VOTES AND ABSTENTIONS IN THE WORLD BANK GROUP: 1983-1987¹

(In millions of dollars)

Institution	Date	Borrower	Amount	Project	U.S. vote	Reason	Final disposition of loan
IBRD	Oct. 1982	India	\$165.5	Krishna-Godavari Petroleum Exp.....	No	Potential displacement of foreign private capital and inappropriate sector policies.	Approved.
IBRD	Jan. 1983	China	162.4	Daging Oilfield Secondary Recovery.	No	Potential displacement of foreign private capital and inappropriate sector policies.	Do.
IBRD	Feb. 1983	India	222.3	South Bassein Offshore Gas Dev't....	No	Potential displacement of foreign private capital and inappropriate sector policies.	Do.
IBRD	Mar. 1983	China	100.8	Zhongyuan-Wenliu Petroleum Exp. and Development.	No	Potential displacement of foreign private capital and inappropriate sector policies.	Do.
IBRD	May 1983	Egypt	203.7	El Dikheila Reinforcing Bar.....	Abstain	Not a developmental priority.....	Do.
IDA	Mar. 1983	Ghana	13.0	Water Supply Rehabilitation.....	Abstain	Inappropriate macroeconomic policies.....	Do.
IDA	Apr. 1983	Yemen, PDR	9.0	Second Ag'l Dev't Project.....	Abstain	Human Rights.....	Do.
IDA	May 1983	Ethiopia	20.0	Urban Development.....	No	Expropriation.....	Do.
IDA	May 1983	Ghana	11.0	Energy Project.....	Abstain	Inappropriate macroeconomic policies.....	Do.
IDA	May 1983	Yemen, PDR	7.6	Health Development.....	Abstain	Human Rights.....	Do.
IDA	Jun. 1983	Ethiopia	7.0	Petroleum Exp. Promotion and Geothermal Study.	No	Expropriation.....	Do.
IDA	Jun. 1983	Laos, PDR	6.2	Ag'l Production Support Project.....	Abstain	Human Rights.....	Do.
IDA	Jul. 1983	Ethiopia	70.0	Roads.....	No	Expropriation.....	Do.
IDA	Jul. 1983	Tanzania	35.0	Mtera Hydropower.....	Abstain	Inappropriate macroeconomic policies.....	Do.
IBRD	Mar. 1984	Hungary	90.0	Petroleum Project.....	No	Potential displacement of foreign private capital.	Do.
IBRD	Mar. 1984	India	242.5	Cambay Basin Petroleum Project.....	No	Potential displacement of foreign private capital and inappropriate sector policies.	Do.
IBRD	Mar. 1984	Nigeria	25.0	Gas Technical Assistance.....	No	Potential displacement of foreign private capital.	Do.
IBRD	Mar. 1984	Zambia	75.0	Copper Industry Rehabilitation.....	No	Doubtful financial viability.....	Do.
IBRD	Mar. 1984	China	100.3	Karamay Petroleum Project.....	No	Potential displacement of foreign private capital and inappropriate sector policies.	Do.
IBRD	May 1984	Hungary	24.3	Petroleum Project.....	Abstain	Potential displacement of foreign private capital.	Do.
IBRD	Sep. 1984	Philippines	150.0	Agricultural.....	No	Inadequate sector.....	Do.
IDA	Dec. 1983	Ethiopia	35.0	Second Coffee Processing and marketing.	No	Expropriation.....	Do.
IDA	May 1984	Yemen, PDR	10.4	Fourth Education.....	Abstain	Human Rights.....	Do.
IDA	Jun. 1984	Benin	18.0	Seme Oilfield Development II.....	Abstain	do.....	Do.
IDA	Jun. 1984	Benin	5.4	Forestry Project.....	Abstain	do.....	Do.
IDA	Jun. 1984	India	220.0	National Cooperative Dev't.....	No	Inadequate sector reform conditionality.	Do.
IDA	Jul. 1984	Ethiopia	40.0	Telecommunications.....	No	Expropriation.....	Do.
IDA	Sep. 1984	Ethiopia	70.0	Sixth Education Project.....	No	do.....	Do.
IDA	Sep. 1984	Ethiopia	4.0	Tech. Assist. for Econ. Mgmt.....	No	do.....	Do.
IDA	Sep. 1984	Ethiopia	22.0	Ag'l Research.....	No	do.....	Do.
IBRD	Nov. 1984	Colombia	130.0	Petroleum Dev't.....	No	Potential displacement of foreign private capital.	Do.
IBRD	Mar. 1985	Chile	11.0	Public Sector Management.....	Abstain	Human Rights.....	Do.
IBRD	Aug. 1985	Mexico	150.0	Low Income Housing.....	Abstain	Negative real interest rates and budget subsidy.	Do.
IDA	Dec. 1985	Benin	5.0	Technical Assist.....	Abstain	do.....	Do.
IDA	Mar. 1985	Uganda	5.1	Petroleum Tech. Assistance.....	Abstain	do.....	Do.
IDA	Mar. 1985	Uganda	28.8	Power Rehabilitation II.....	Abstain	do.....	Do.
IDA	Mar. 1985	Yemen, PDR	5.0	Ag'l Research and Extension.....	Abstain	do.....	Do.
IDA	Apr. 1985	Ethiopia	30.0	Drought Recovery.....	No	Expropriation.....	Do.
IDA	Jun. 1985	Yemen, PDR	14.4	Highways IV.....	Abstain	Human Rights.....	Do.
IFC	Feb. 1985	Brazil	3.0	COSIGUA Steel Modernization.....	No	Additional IFC equity investment not necessary, and so could displace local private capital.	Do.
IFC	Jun. 1985	Chile	18.7	COCAR Coal.....	Abstain	Human Rights.....	Do.
IBRD	Dec. 1985	Mauritania	20.0	SNIM Iron Ore Mining Rehab.....	Abstain	Potentially premature due to global overcapacity, and unsound sector tax policy.	Do.
IBRD	Mar. 1986	China	75.0	Third Industrial Credit Project.....	Abstain	Unsustainable textile export trend given bilateral quota agreements.	Do.
IBRD	Apr. 1986	Brazil	155.0	Ag'l Extension II.....	Abstain	Obey amendment.....	Do.
IBRD	Apr. 1986	Zaire	110.0	GECAMINES copper.....	No	Garn amendment.....	Do.
IBRD	May 1986	Hungary	64.0	Electric Power.....	Abstain	Inadequate tariff levels.....	Do.
IBRD	May 1986	Syria	70.0	Aleppo Sewerage II.....	Abstain	Human rights.....	Do.
IBRD	Jun. 1986	Brazil	500.0	Electric Power Sector Loan.....	No	Inadequate tariff levels and potential environmental problems.	Do.
IBRD	Jul. 1986	Malaysia	55.0	Second Western Johor Ag. Dev. (Palm Oil).	No	No institution building role for IBRD....	Do.
IDA	Mar. 1986	China	25.0	Third Industrial Credit Project.....	Abstain	Unsustainable textile export trend given bilateral quota agreements.	Do.
IDA	Apr. 1986	Ethiopia	5.5	Port Project.....	Abstain	Human rights.....	Do.
IDA	May 1986	Burma	30.0	Grain Storage and Processing (Rice).	Abstain	Inadequate sector reform and private sector role.	Do.
IDA	May 1986	Ethiopia	62.0	Energy.....	Abstain	Human rights.....	Do.
IDA	Jul. 1986	Ethiopia	45.0	Forestry.....	Abstain	do.....	Do.
IDA	Aug. 1986	Guyana	7.0	Bauxite Industry Tech. Assistance Project.	Abstain	Premature pending resolution of inappropriate country macro-economic policies.	Do.
IFC	Sep. 1986	India	8.6	Carbon Black.....	No	Excessive level of protection from imports.	Do.
IBRD	Nov. 1986	Chile	250.0	Structural Adjustment II.....	Abstain	Human rights.....	Do.
IBRD	Jan. 1987	Indonesia	226.0	Power Transmission and Distribution.	No	Inadequate tariffs.....	Do.
IBRD	Mar. 1987	China	250.0	Fourth Industrial Credit Project.....	Abstain	Unsustainable textile export trend given bilateral quota agreements.	Do.
IBRD	Jun. 1987	Chile	95.0	Peheunche Hydropower.....	Abstain	Human rights.....	Do.
IBRD	Jun. 1987	Chile	21.5	Power Transmission.....	Abstain	do.....	Do.
IBRD	Jun. 1987	Mexico	400.0	Agricultural Credit.....	Abstain	Negative sub-loan interest rates.....	Do.
IDA	Oct. 1986	Yemen, PDR	5.6	Water Supply II.....	Abstain	Human rights.....	Do.
IDA	Mar. 1987	China	50.0	Fourth Industrial Credit Project.....	Abstain	Unsustainable textile export trend given bilateral quota agreements.	Do.
IDA	Mar. 1987	Ethiopia	7.0	Small Scale Irrigation.....	Abstain	Human rights.....	Do.
IDA	Apr. 1987	Ethiopia	39.0	Livestock Project.....	Abstain	do.....	Do.
IDA	Jun. 1987	Yemen, PDR	16.8	Highways V.....	Abstain	do.....	Do.
IFC	Feb. 1987	Chile	15.0	Arauco Pulp Mill Modernization and Expansion.	Abstain	do.....	Do.

U.S. NEGATIVE VOTES AND ABSTENTIONS IN THE WORLD BANK GROUP: 1983-1987 ¹—Continued

(In millions of dollars)

Institution	Date	Borrower	Amount	Project	U.S. vote	Reason	Final disposition of loan
IFC	May 1987	Venezuela	37.6	VENECOMS Cement Mill Expansion	Abstain	Significant export subsidy relevant to U.S. market	Do.
IFC	Jun. 1987	Brazil	20.0	MBR Iron Ore Mine Expansion	No	IFC funding not really needed	Do.
IFC	Aug. 1987	Brazil	20.0	Three Banks Ind. Modernization Financing	No	Unconditional balance of payments support, debt moratorium, and no IFC institution-building role.	Do.

¹U.S. fiscal years are used. Source: "International Finance: The National Advisory Council on International Monetary and Financial Policies, Annual Report to the President and to the Congress," various annuals for fiscal years 1983 through 1986, and fiscal 1987 in draft form.

²The World Bank Group is composed of the International Bank for Reconstruction and Development (IBRD), its main body, in addition to the International Development Association (IDA) and International Finance Corporation (IFC) affiliates. Total approved over U.S. opposition: \$5.3 billion.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. WORTLEY].

Mr. WORTLEY. Mr. Speaker, I rise in support of this rule. I do not intend to abandon the World Bank to the Japanese.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. Mr. Speaker, I rise in opposition to the rule.

Mr. Speaker, I do not remember that when we passed the bill in the House there was any money in it for the general capital increase for the World Bank. In fact, we not only did not have it in our bill but the members of our subcommittee opposed it, and every Republican member of the subcommittee opposed it.

That is not my point. I am against the capital increase. I can give the Members the reasons why I am against it, but I am here to oppose the rule.

We have a very unique situation here. There have been times when, for a variety of reasons, I have voted for a rule that contains waivers, and probably everybody in this Chamber has at one time or another voted for a rule that contained a waiver, but we do not have a hypothetical situation here. What we have is a situation where yesterday a Member of this House rose and objected to a provision and said it was a violation of the House rules, and a ruling was handed down by the Chair that upheld that point of order. We now have, after the Chair has ruled that in fact this provision is a violation of House rules, gone back to the Committee on Rules and said, "Yes, we all know now that it is not hypothetically a violation, it is a violation of House rules, but we are going to change things so Members cannot get to it, and they cannot do anything about it." I think that that is a bad precedent. I think it is a bad way to operate.

Mr. Speaker, I am saying I have lost before, and I am not for the capital increase, but I am used to having times when the House votes differently than I would have it vote.

I think we passed a good bill. I worked with the chairman, the gentle-

man from Wisconsin [Mr. OBEY]. This was a good foreign aid bill. It is a good foreign aid bill, but this one provision which has been held to be against the House rules ought not to be covered up now by going back to the Committee on Rules.

I would ask the Members to vote against it.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. FRENZEL].

Mr. FRENZEL. Mr. Speaker, I rise in very strong support of this rule. That is an atypical position for me. I normally oppose rules which provide waivers such as this one does. I also am normally in the same position as my colleague, the gentleman from Oklahoma, and my colleague, the gentleman from Kentucky. However, in this case, there is a crying need which must be met. The United States needs to meet its obligations to the World Bank for this level of replenishment and, therefore, it is essential that we pass this rule and that we pass the motion of the gentleman from Wisconsin which will be made later on.

In answer to those who said they are not getting enough chance to debate this matter, I would say that the debate on this rule is a good deal longer than most of the time allowed to us to debate important matters before this House.

I will also say the organization in question, the World Bank, has the best record in the international marketplace for requiring programs on the part of the recipient countries of its loans to open up their markets and to provide choice in the marketplace and to make growth one of their goals.

The restructuring of the World Bank under the leadership of our former colleague has made it a leaner institution. That has been a very difficult and a torturous process. It is now complete. The organization is reorganized.

The United States should not, in terms of a stronger World Bank, allow its voting participation to be eroded. If we do not pass the rule and the motion by the gentleman from Wisconsin [Mr. OBEY], that will happen.

Mr. Speaker, I believe very strongly that this is one of the most important votes of the year. It is an area where we do well be doing good. We not only

help Third World countries, but we help ourselves by advancing our own commercial interests.

Mr. QUILLEN. Mr. Speaker, to close debate, I yield 4 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I would like to make it quite clear from the beginning of my comments that this rule is requested not only by the distinguished gentleman from Wisconsin [Mr. OBEY] but by the distinguished Republican leader, Mr. MICHEL, by Secretary of the Treasury, Brady specifically by letter today, as he also supports the appropriation. The authorization and appropriation has been supported by the previous Secretary of the Treasury, Mr. Baker, by the Secretary of State and, on June 10 of this year, by President Ronald Reagan in a letter to Representative MICHEL which read, "I ask you to support quick and unencumbered passage of authorizing legislation for the GCI."

This rule is requested and supported by the administration and by the ranking Republican on the Banking Committee and the Banking subcommittee chairmen and myself in behalf of the administration.

A few minutes ago Members heard reference to the number \$14 billion. I want to make it quite clear that as far as the GCI—we are dealing with the World Bank—a proposed authorization of \$70.1 million for 6 years, and we are considering a proposed appropriation action of \$50 million. Please do not confuse what is prepared with some \$14 billion figure.

If Members take a look at what the American contribution, 18 percent of the total governmental contribution means, it means a leveraging of the United States paid in capital contributions for World Bank activity by 70 times or even as much as 200 times, depending on how one counts it. I think if we take a look at the way the World Bank has been moving in the last several years, or at the kind of record our former colleague, World Bank President Barber Conable, one of the most distinguished men to leave this body in this century, has established, it will be noted for at least three things: First, the environmental review and policy change that he has made in the

World Bank lending practices directly in answer to appropriate criticisms of those concerned about World Bank loans; second, to encourage, to recognize, and to promote the role of women in development; and third, the encouragement of privatization, thus moving these countries to market-oriented economies with export-import opportunities and other crucial economic and structural reform.

Loans geared toward structural reform, today range up to 25 percent of the total loan activity. I think it is important that the United States live up to its intention to authorize our contributions for 6 years. The United States is the Nation that asked for the longer 6-year authorization period in order to spread our payment over that longer period of time. The British, for example, contributed all of their additional capital immediately. Indeed, most of the countries, the majority necessary to make this GCI happen, have already made their contribution. You've heard already about the undistinguished notions in which the United States finds itself today in having failed to meet its general capital increase commitment.

I also heard reference to the nation of Ethiopia. Let it be crystal clear that Ethiopia is too poor to qualify for the IBRD loans that are authorized and appropriated by this action on the GCI. Ethiopia, and what its policies are, is not a factor. Ethiopia is too poor to qualify for the IBRD loan program but is instead funded at "the soft window," that is to say IDA. None of the poorest of the poor countries are eligible for what we are doing in the proposed GCI here today, so that fact ought to be borne in mind.

Let me remind my colleagues here, too, this rule is not just about the GCI—it is probably less than 1 percent of the funds involved in the amendment No. 119 which is the specific focus of this proposed rule. We are considering the African Development Fund. In fact it covers about all foreign aid programs that are not authorized but which are typically authorized by an appropriation bill or continuing resolution. Generally, in recent years, the Congress has failed to enact a foreign assistance authorization bill and as the authorization is secured through the appropriations process.

H.R. 4645, the banking bill, passed last week by the Banking Committee, passed with a majority of Republicans voting for it.

It was folded into this appropriation bill at the request of the committee. It thus includes the replenishment for the African Development Fund. Finally, permit me to emphasize that the funds for AID for Israel, for Egypt, the Peace Corps, our antiterrorism programs, et cetera, also part of conference amendment No. 119, too.

I urge support for the rule.

The SPEAKER pro tempore. All time of the gentleman from Tennessee [Mr. QUILLEN] has expired.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I simply rise to take note of some of the statements made on the House floor and try to correct some of the misstatements which have been made.

One of the previous speakers, the gentleman from Wisconsin, said that it is no wonder that people do not go to the polls and vote when they see action like this. I would suggest that perhaps one of the reasons people do not go to the polls and vote is because voters are being told so many things by some Members of this body that just are not so.

I would suggest that the gentleman from Nebraska has just accurately summarized what is and is not at stake on this issue. Let me make matters clear. First of all, the gentleman from Wisconsin indicated that this rule is here because it was brought here by the "Democrat leadership" bending the rules. The fact is that this bill is here at the request of the Democratic and Republican leadership. It is here at the request of myself, among a good many other people, because we are trying to support a compromise with a Republican administration even though I myself have strong doubts about that compromise.

□ 1315

This is a body in which you have to try to have 535 men and women work their will in a united way and in a way which does not make the United States look silly in the process. That is what we are trying to do by supporting the administration's request for today.

Second, it was stated that this vote is a vote pure and simple on the GCI. That is simply not correct. This vote is simply a vote on whether or not we are going to allow a vote on authorizing every item in the bill which is unauthorized. To put that in perspective, the GCI proposition is about \$50 million. All of the other unauthorized items in this bill are about \$14 billion. I would say that the vote on the rule is the furthest thing possible from a vote specifically on the GCI. It is simply a vote on whether or not we are going to do what we have done many times in the past, namely, authorize legislation which has not been able to make it through the authorization process so that we can avoid a continuing resolution.

If Members want to be on a continuing resolution, if we want to be here Saturday, if we want to be here next week and violate our promise to the President to produce 13 appropriation bills without going to a CR, then vote

against the motion. If you want to enable the House to meet the obligation, to pass 13 appropriation bills in a timely way, although we may all have disagreements about specific items in the bill, then you support the motion of the Committee on Rules and go on and support the Obey motion.

Let me say also that the assertion was also made by the gentleman from Kentucky, that if Members vote for this they will not be able to do anything at all about the GCI for the next 6 years is the furthest thing possible from the truth. We have limited GCI appropriations in the Obey amendment to \$50 million, not \$70 million, precisely because a good many people on this side of the aisle share a feeling that I think is held on the part of many people on that side of the aisle that at the present time our Third World policy, the Baker policy, and the policies of the World Bank are in some respects misguided.

We think that they do not specifically take into account the need for our own agriculture sector to grow and our own manufacturing sector to grow. So we have limited the appropriation to \$20 million below the amount requested by the administration. And I have a letter here which I am sending to the Secretary of the Treasury today and I would invite anyone to sign it who would like to sign it with me, which simply states here that future appropriations for the GCI over each of the next 6 years are going to be determined to a very great extent by the manner in which the Treasury Department and the World Bank handle this entire question of Third World debt.

I do not believe that we ought to provide American support for any structural loan, if that country is required to devote more than 20 percent of its foreign exchange to repay loans, because I think that messes up their ability to buy our own products.

If any of you are interested in joining with me on that letter I would be happy to have your name on it, but the fact is this rule allows the House to do what it has an obligation to do which is to send it to the President before October 1.

Mr. GORDON. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. DELLUMS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BUNNING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 303, nays 84, not voting 44, as follows:

[Roll No. 366]

YEAS—303

Ackerman	Fazio	Markey
Akaka	Feighan	Martin (NY)
Alexander	Fish	Martinez
Anderson	Flake	Matsui
Andrews	Florio	Mavroules
Annunzio	Foglietta	Mazzoli
Anthony	Foley	McCloskey
Applegate	Ford (MI)	McCrery
Aspin	Frank	McDade
Atkins	Frenzel	McGrath
AuCoin	Frost	McHugh
Baker	Gallely	McMillan (NC)
Barnard	Gallo	McMillen (MD)
Bateman	Garcia	Meyers
Bates	Gaydos	Mfume
Beilenson	Gedjenson	Mica
Bentley	Gephardt	Michel
Bereuter	Gibbons	Miller (CA)
Berman	Gilman	Miller (OH)
Bevill	Gingrich	Miller (WA)
Bilbray	Glickman	Moakley
Bliley	Gonzalez	Molinar
Bonior	Goodling	Mollohan
Borski	Gordon	Montgomery
Bosco	Gradison	Moody
Boucher	Grant	Morella
Boxer	Gray (PA)	Morrison (CT)
Brennan	Green	Morrison (WA)
Broomfield	Guarini	Mrazek
Brown (CA)	Hall (OH)	Murtha
Bruce	Hall (TX)	Myers
Bryant	Hamilton	Natcher
Bustamante	Hatcher	Nichols
Byron	Hawkins	Nowak
Callahan	Hayes (IL)	Oakar
Campbell	Hefner	Oberstar
Cardin	Hertel	Obey
Carper	Hochbrueckner	Olin
Carr	Horton	Ortiz
Chandler	Houghton	Owens (NY)
Chapman	Hoyer	Owens (UT)
Chappell	Hughes	Oxley
Clarke	Hutto	Panetta
Clay	Hyde	Parris
Clement	Inhofe	Pashayan
Clinger	Ireland	Patterson
Coble	Jeffords	Payne
Coelho	Jenkins	Pease
Coleman (MO)	Johnson (CT)	Pelosi
Coleman (TX)	Johnson (SD)	Penny
Collins	Jones (NC)	Perkins
Conte	Jontz	Pickett
Conyers	Kanjorski	Pickle
Cooper	Kaptur	Porter
Costello	Kastenmeier	Price
Coughlin	Kennedy	Quillen
Courter	Kennelly	Rahall
Coyne	Kildee	Rangel
Crockett	Klecza	Ravenel
Darden	Kostmayer	Regula
de la Garza	LaFalce	Richardson
DeLay	Lagomarsino	Ridge
Dellums	Lancaster	Rinaldo
Derrick	Lantos	Robinson
DeWine	Leach (IA)	Rodino
Dicks	Leath (TX)	Rose
DioGuardi	Lehman (CA)	Rostenkowski
Dixon	Lehman (FL)	Roukema
Donnelly	Leland	Rowland (CT)
Dorgan (ND)	Lent	Rowland (GA)
Dornan (CA)	Levin (MI)	Roybal
Downey	Levine (CA)	Russo
Durbin	Lewis (GA)	Sabo
Dwyer	Lightfoot	Salki
Dymally	Lipinski	Savage
Dyson	Lloyd	Sawyer
Early	Lowery (CA)	Saxton
Eckart	Lowry (WA)	Scheuer
Edwards (CA)	Lukens, Thomas	Schroeder
English	Lukens, Donald	Schulze
Espy	Lungren	Schumer
Evans	Madigan	Sharp
Fascell	Manton	Shays

Sisisky
Skeen
Skellton
Slattery
Slaughter (NY)
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm

Stokes
Stratton
Studds
Swift
Synar
Tallon
Tauke
Tauszin
Thomas (CA)
Thomas (GA)
Torres
Towns
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky

Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron
Young (AK)

NAYS—84

Archer
Armey
Badham
Ballenger
Bartlett
Barton
Bennett
Billakis
Brown (CO)
Bunning
Burton
Cheney
Coats
Combest
Craig
Crane
Dannemeyer
Daub
Davis (IL)
Davis (MI)
DeFazio
Dreier
Edwards (OK)
Emerson
Erdreich
Fawell
Fields
Gekas
Grandy

Gunderson
Hammerschmidt
Hansen
Harris
Hastert
Hefley
Henry
Herger
Hiller
Holloway
Hopkins
Hubbard
Hunter
Jacobs
Kasich
Kolter
Kyl
Latta
Lewis (CA)
Lewis (FL)
Livingston
Lott
Marlenee
Martin (IL)
McCollum
McEwen
Moorhead
Murphy
Nielson

Packard
Petri
Pursell
Ray
Roberts
Rogers
Roth
Schaefer
Schuette
Sensenbrenner
Shaw
Shumway
Shuster
Slaughter (VA)
Smith (NE)
Smith, Denny
(OR)
Smith, Robert
(NH)
Smith, Robert
(OR)
Solomon
Stump
Swindall
Taylor
Upton
Weber
Whittaker
Young (FL)

NOT VOTING—44

Boehlert
Boggs
Boland
Bonker
Boulter
Brooks
Buechner
Dickinson
Dingell
Dowdy
Flippo
Ford (TN)
Gray (IL)
Gregg
Hayes (LA)

Huckaby
Jones (TN)
Kemp
Kolbe
Konnyu
Lujan
Mack
MacKay
McCandless
McCurdy
Mineta
Nagle
Neal
Nelson
Pepper

Rhodes
Ritter
Roe
Schneider
Sikorski
Skaggs
Smith (FL)
Sundquist
Sweeney
Torricelli
Traffant
Vucanovich
Walker
Weldon

□ 1338

Mr. LEWIS of California and Mr. LIVINGSTON changed their vote from "yea" to "nay."

Mrs. BENTLEY changed her vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ORDER OF BUSINESS

Mr. COLEMAN of Missouri. Mr. Speaker, I ask unanimous consent to be allowed to take my special order this evening prior to the special order of the gentlewoman from Maryland [Mrs. BENTLEY].

Mr. Speaker, this has been cleared with the gentlewoman from Maryland.

The SPEAKER pro tempore (Mr. BRUCE). Is there objection to the request of the gentleman from Missouri? There was no objection.

MOTION TO RECEDE AND CONCUR IN SENATE AMENDMENT NUMBERED 119 TO H.R. 4637, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATION ACT, 1989 WITH AN AMENDMENT

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 554, I offer a motion.

The Clerk read as follows:

Mr. OBEY moves that the House recede from its disagreement to the amendment of the Senate numbered 119 and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: Provided, That section 514 of the Foreign Assistance Act of 1961 is amended by amending subsection (b)(2) to read as follows: "(2) The value of such additions to stockpiles in foreign countries shall not exceed \$77,000,000 for fiscal year 1989." Provided further, That the amendment in the nature of a substitute to the text of H.R. 4645, as ordered reported from the Committee on Banking, Finance and Urban Affairs on September 22, 1988, is hereby enacted into law: Provided further, That title I of H.R. 5263 as passed by the House of Representatives on September 20, 1988 is hereby enacted into law: Provided further, That purchases, investments or other acquisitions of equity by the fund created by section 104 of H.R. 5263 as hereby enacted are limited to such amounts as may be provided in advance in appropriations Acts.

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts? There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 554, the motion to a demand for a division of the question.

The gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I would simply like to put in perspective what it is that the House is going to be voting on some time within the next half hour or hour.

As the House knows it has been an almost annual occurrence for the Appropriations Committee to carry a variety of authorization bills when we fi-

nally get to the passage of the final appropriations bills at the end of the year.

Normally in the case of foreign affairs that has been done in a continuing resolution. This is the first time in 7 years that we will not have a continuing resolution, at least as far as foreign operations is concerned.

We have, for the first time in 7 years, produced what appears to be an independent, freestanding foreign operations bill which the President will sign.

Let me simply summarize what we are doing.

In 1985 we had to authorize the Special Facility for Africa and the IFC.

In 1986 we had to authorize on the appropriations bill the African Development Fund. In 1987 we had to authorize IDA8 on the appropriation bill, as we had to authorize IDA7 in 1984.

We are doing the same thing this year with respect to virtually all items in the bill as we have done in the past for the items I have just described, because we do not yet have, through the other body, the authorization legislation for foreign aid. That means that all military assistance, all economic assistance or almost all, all the assistance to Central America, to the Middle East, you name it, has to be authorized as well as appropriated for in this bill, or we simply cannot function and the country would have no aid program.

The bone of contention which has arisen has related primarily to the issue of the general capital increase for the World Bank. Let me simply say that while I certainly disagree with the gentleman from Kentucky and others in terms of the resolution that they sought for this matter, I do not necessarily disagree with them as to the substance, at least in part.

Let me simply say that if you want to know where I am coming from on the issue of the general capital increase, I suggest that you take a look at our hearings, read the hearing which we had with Secretary Baker, or, if you would like, take a look at the two studies put out by the Joint Economic Committee, one entitled, "Trade Deficits, Foreign Debt and Sagging Growth," and the other entitled, "The Impact of the Latin American Debt Crisis on the United States Economy."

Both of those were prepared by the Joint Economic Committee.

It is my view that while it is perfectly appropriate and in fact essential that the United States participate in the World Bank and participate in the general capital increase, it is also my view that the specific policies being followed by the Bank and the specific policies being followed by Treasury insofar as they insist on adhering rigidly to the Baker plan, are misguided. Because I believe that if we require, espe-

cially Latin American countries, to devote a very large share of foreign exchange simply to pay American or other banks for previous debts, that means that to the extent that they have to do that we are squeezing the ability of those economies to grow. And if those economies cannot grow, they cannot buy our agricultural goods, they cannot buy our manufactured goods.

□ 1345

So I do not object to participating in the World Bank. I think that is essential as an act of leadership on the part of the United States. I do share with some of those who voted against the rule a concern about specific policies being followed by the Bank. I simply want to assure any Members who remain opposed to the GCI that over the next 5 years we will have ample opportunity to review the conduct of both the Bank and the U.S. Treasury Department in providing leadership in that Bank.

I want to assure the Members that we will have ample opportunity to review the conduct of both the Bank and the Treasury, and we will be basing our future appropriations in very large measure on how both institutions perform. As I indicated earlier, I have a letter which I am sending to Secretary Brady this afternoon. I have the highest respect for the Secretary. I have known him for some time, and I think he is a first-rate individual and a first-rate public servant. But let me simply say that I would invite anyone who has any concerns about the GCI to join me in signing this letter to the Secretary indicating our concern about the specific policies being followed by the World Bank and being followed by the Treasury Department insofar as they stick to the Baker plan. I think that is the constructive way to deal with the question of the general capital increase without calling into question American determination and without calling into question American leadership.

As was indicated by the gentleman from Ohio [Mr. WYLLIE], the ranking Republican on the Committee on Banking, Finance and Urban Affairs, this really is a question of leadership. It is a question of whether we will maintain the leadership of the most important international financial institution in the world with respect to the impact it has on international affairs. It also in the broader sense is the only vehicle we have available to us which will enable this House to meet its responsibilities in providing assistance to Central America, to Africa, and to the Middle East, areas which I know have broad support on the part of Members on both sides of the aisle.

So, Mr. Speaker, that is very simply what is at issue. We cannot proceed without the passage of this amend-

ment, and for that reason I urge the Members to support it.

The SPEAKER pro tempore (Mr. BRUCE). Without objection, the gentleman from Oklahoma [Mr. EDWARDS] will be recognized for 30 minutes in opposition to the motion.

There was no objection.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the Chair for recognizing me. I do not oppose the provision. I do have objections to the inclusion of the funds for the general capital increase for the World Bank, but there are other provisions in the gentleman's motion which make it worth supporting.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONTE], the vice chairman of the Committee on Appropriations.

Mr. CONTE. Mr. Speaker, I want to thank my dear friend and colleague, the gentleman from Oklahoma [Mr. EDWARDS], for giving me this time.

Mr. Speaker, I strongly urge my colleagues to support the chairman's motion to recede and concur with an amendment as agreed to by the full conference on the foreign aid bill.

Do not hold up this bill at this late date. Yesterday, this House voted overwhelmingly 327 to 92 to adopt this conference report. Our colleagues on the Senate side are at this moment fighting to hold off members of their own authorizing committees who want to tack on controversial provisions to this bill when it gets over there. If we begin that process here, we may well not get this bill signed into law.

On the merits of this individual case, the House Banking Committee did report out the authorization bill for the general capital increase for the World Bank. It took until the very day our conferees were meeting on this appropriations bill, but they finally reported that bill. Our conferees have agreed with the authorizing committee to put that authorization bill into this conference report.

That authorization and this appropriation will allow the United States to finally join the responsible nations in the free world in contributing to the general capital increase. We would be able to leave the company of the other countries which have not paid—such luminaries as Libya, Vietnam, Cambodia, Romania, and the People's Republic of Yemen.

That is not the company we want to keep. The responsible vote here is to support the chairman's motion.

The conferees agreed to a \$50 million U.S. contribution as our initial input into the general capital increase, although our share should be \$70 million. The reduction was necessary due to our budget constraints. Hopefully,

we can assume our full share in future years.

A \$70 million annual U.S. contribution would, by the 1990's, leverage more than \$20 billion a year in total World Bank lending. Most of this lending will go to countries with overwhelming debt burdens, countries which because of their debt burdens have stopped buying U.S. exports. Helping to stimulate growth in those nations means major new markets for U.S. products, and that means jobs right here in this country.

Much of the World Bank aid goes to countries of strategic importance to the United States, such as the Philippines, Pakistan, Tunisia, and Turkey, and to countries such as Mexico, Brazil, and Argentina where we have important interests but virtually no bilateral aid programs.

The World Bank, under the leadership of our former colleague Barber Conable, is playing a major role in encouraging market-oriented policy reforms around the world. That is directly in our national interests.

Mr. Speaker, the United States was the major mover in the original establishment of the World Bank because we knew that economic growth and stability and free markets around the world were in our own long-term interests. As the biggest shareholder in the Bank, it certainly would not be in our interests to weaken the Bank and cripple its effectiveness now.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, first I thank the distinguished gentleman from Oklahoma [Mr. EDWARDS] for yielding me this time.

I rise in support of the committee position on amendment No. 119 to the conference report accompanying H.R. 4637. This action is necessary to fund virtually all of our foreign aid programs for fiscal year 1989.

Congress has not passed out a full-scale authorization bill for foreign aid programs since 1985. Amendment No. 119 allows for the appropriation for a wide variety of foreign aid programs, despite the lack of authorizing legislation. It is not a good way to proceed, but it is the only way to proceed now available to us and I commend the Committee on Appropriations for its action in proceeding to keep us on track here and to provide some of the oversight and direction from itself and the relevant authorizing committees through including of their language and adopted views.

Therefore, what we are considering here in amendment 119 really includes appropriations for the Economic Support Fund Program, the Military Assistance Program, the Agency for International Development, the Peace Corps, the Inter-American Foundation

for American schools and hospitals abroad, the International Disaster Assistance Program, the Migration and Refugee Assistance Program, the Anti-terrorism Program, the International Narcotics Control Program, the Trade and Development Program, and others. Without approval of amendment 119, there would be no military or economic aid appropriated to key allies and base-rights countries such as Israel, Egypt, the Philippines, Turkey, Greece, Morocco, Kenya, Tunisia, and Portugal. There also would be no foreign assistance to Central American countries where we have with great difficulty reached a bipartisan agreement.

Aside from the foreign aid appropriations to be dispersed without authorizing legislation, this amendment 119 specifically authorizes the general capital increase for the World Bank. That is for the IBRD loan program only, that portion which was enacted when the House Committee on Banking, Finance and Urban Affairs recently passed H.R. 4645. That legislation, by the way, was approved by a majority of Members on both sides of the aisle.

The amendment also would reauthorize and fund title I of H.R. 5623, the authorization for the Overseas Private Investment Corporation. Finally, it includes the replenishment funds for the African Development Fund. Most of the contention, as has been pointed out, relates to the general capital increase for the IBRD of the World Bank.

Let me say that I certainly share some of the same concerns about the performance of the World Bank, as demonstrated by most past actions and statements in the past, that many Members on both sides of the aisle have already expressed, plus other concerns, but most of what we have heard and read about in the Reader's Digest relates to things that have been going on for some period of time and for which corrective actions have now been taken by the reforms initiated by World Bank President Barber Conable—in part because of encouragement and strong messages from the Congress of the United States.

In this legislation, H.R. 4645 now incorporated in the appropriation measure, we have strong environmental provisions to further strengthen what Barber Conable has already put into place within the World Bank. We encourage his activities and the Bank's activities for women and development because they are so crucial, especially in most of the sub-Saharan African countries. We are encouraging a variety of innovative approaches to reduce the international debt of many nations, including greater use of debt-equity swaps and debt for development (educational and environmental protection and enhancement) swaps.

We also encourage structural reforms that encourage basic economic reforms and movement toward market economies in these countries, which encourage export opportunities for them and U.S. exports that are important to us but which we are pushing for the type of structural reforms that are beneficial for the people of these nations and which do not cause deprivation to those people.

In the area of reform it is important to note that this Member, has taken the initiative, supported by the distinguished gentleman from the District of Columbia [Mr. FAUNTROY] and two of our counterparts in the Senate, in the area of loans to our agricultural export competitors. We put in place a consultation process with the Treasury Department and USDA to ensure that the kind of voting decisions by the U.S. executive director of the World Bank to identify and energetically work to stop permit loans which encourage competition with our farmers and miners in commodities that are already in surplus in the world's export markets. So for those concerns expressed, for example, about World Bank loans to Argentina several years ago, there are reformed procedures now in effect in the United States Government to keep such World Bank loans from being made again.

There are ample opportunities for congressional oversight of the World Bank. The distinguished gentleman from Wisconsin [Mr. OBEY], the chairman of the Foreign Operations Subcommittee of the Appropriations Committee, has rightly pointed out the restraints and directions already prepared through oversight and the further opportunities to provide oversight. He pointed to the fact that we are appropriating only \$50 million, not the requested \$70.1 million as generating a requirement to monitor World Bank activities and initiatives.

I would also indicate that the IDA program of the World Bank, the subject of additional International Development Association loans, the "soft loan" money for the World Bank, will be before the next Congress for scrutiny. There once again will be an opportunity to exercise oversight over that key component of the World Bank.

Finally, this Member would also like to list, to the extent I have time, some of the reasons why the administration is pushing so hard for the authorization and appropriations of the GCI for the World Bank by the United States. We are concerned about our lack of clout or influence the United States will have if we do not honor our GCI commitment now.

Why is the administration pushing for U.S. participation in the World Bank general capital increase?

These are some of the answers suggested by the administration:

The World Bank GCI accounts for a very small proportion of U.S. spending for foreign affairs—\$70 million out of \$16.5 billion, or 0.006 percent—and a much smaller percentage of the overall budget.

However, the benefits of U.S. participation are extremely large and important to our foreign policy, economic, and humanitarian goals.

The U.S. subscription, plus repayment flows from earlier loans, make available an average of \$18.8 billion in new annual World Bank loan commitments over the period, a multiple 268 times the U.S. appropriation.

In 1987, U.S. firms received \$1.6 billion in disbursements from the World Bank for foreign procurement—an amount which is greater than U.S. paid-in capital to the Bank over its entire history.

The GCI will provide new development funding for countries strategically and economically important to the United States; for example, Morocco, Pakistan, the Philippines, Tunisia, and Turkey at a level far beyond what we could accomplish bilaterally.

Even more striking, the World Bank supports countries that are important to us where there is no bilateral economic assistance: Argentina, Brazil, and Mexico.

Roughly 25 percent of the new GCI will go toward policy-based lending which supports market-oriented reforms to help achieve sustainable growth, an important element of any debt strategy.

During GCI negotiations the administration secured agreement by the Bank's executive board on issues important to the United States.

Environmental protection will be a permanent priority;

The Bank will promote greater reliance on market incentives;

The Bank will support production of primary commodities only where such production is efficient and provides satisfactory rates of return without subsidies.

U.S. failure to participate in the GCI would cause the United States to lose leadership in the World Bank and seriously erode our ability to provide the followthrough that is necessary to achieve success on these and other issues.

Member governments representing sufficient voting power have ratified the GCI to bring it into force.

The language of this initiative, H.R. 4645, incorporated in this appropriations bill by amendment 119, includes language encouraging Treasury through the person of the U.S. Executive Director to support a facilitating role by the World Bank in debt conversion and reduction, which is a necessary step forward. I believe that this is a responsible debt initiative. In particular, it meets the major concern expressed by this Member during the

earlier Banking Committee hearing with Secretary Baker; that is, that any scheme for debt reduction should not require significant public-sector funding, other than that directly provided through a capital increase for the IBRD and such later replenishment for IDA that Congress would approve.

In H.R. 4645, now to be incorporated through amendment No. 119, the Congress will have set out a number of criteria for determining when U.S. Treasury support of debt reduction schemes is appropriate: They are as follows:

Participation in debt reduction schemes must be voluntary;

Debt reduction plans must be created on a case-by-case approach, tailored to an individual country's situation;

Assistance must be conditioned on the implementation and sustaining of market-oriented economic reforms, to be encouraged over a period of time;

World Bank involvement in debt reduction and conversion must never lower the credit rating of the World Bank itself;

Debt reduction must not be seen as an end in itself, but as a means to more growth and investment and the restoration of voluntary private lending to the heavily indebted developing countries.

These seem to this Member to be eminently reasonable criteria, actually developed on the basis of the remarks delivered by Secretary Baker before the Banking Committee earlier this year. They are, I believe, a responsible yardstick for measuring when any given debt reduction proposal should be supported.

It is imperative that we go forward with the GCI now. As President Reagan noted in his letter to the House leadership urging passage of the legislation before us, the GCI is in our national economic, and strategic interests.

The vast majority of the funds of the World Bank goes to middle income developing nations, which are strategically and economically important to the United States. Bilaterally we would never be able to reach this level of development funding for these countries on a dollar-for-dollar basis. It is appropriately estimated that each dollar appropriated for the GCI multiplies or is leveraged to \$180 in lending by the World Bank. Moreover, the market-oriented structural economic reforms advocated by the World Bank, including privatization, freeing prices from official controls, and reducing trade barriers will be beneficial in the longer term to U.S. business. And on the business side, we should note that U.S. companies got \$1.6 billion—or 22 percent—of World Bank procurement business in 1987; it is expected to be \$1.8 billion in 1988. This is from an institution where the immediate U.S. contribution under this GCI would

amount to \$50 million appropriated and an authorization of \$70.1 million a year or a \$420 million total over a 6-year period.

Another section of H.R. 4645 to be incorporated in this appropriations measure encourages U.S. support for the World Bank to play an advisory role with debtor country governments in developing systematic debt-for-development swap programs—that is, this Member emphasizes, human welfare and environmental conservation types of development—not physical development. A recent U.S. Internal Revenue Service ruling has opened the way for creditors of debt-distressed countries to receive charitable deductions when those creditors donate part or all of the value of the debt to eligible nonprofit organizations for charitable, educational, and scientific uses in that developing country. For several pioneering private voluntary organizations, like CARE, it could mean more funds for grassroots development, nutrition, and health projects. For U.S. universities and colleges, it could mean access to research and training funds for use in those countries for agricultural research and for international programs that build ties with their counterpart institutions there. All of these groups and many more are aware of and supportive of this provision.

The International Finance Corporation of the World Bank has provided a similar sort of advisory service on structuring debt-equity swap programs for many countries in Latin America. There is no reason that similar help from the World Bank should not be provided for structuring charitable debt-for-development mechanisms through the IBRD loan program.

Another provision of H.R. 4645, and thus this proposed act, calls on the U.S. Executive Director at the African Development Bank to propose that this institution work together with the World Bank to explore whether there may be additional potential for using bilateral debt reduction from various countries, as outlined in the Toronto summit communique, to create local currency funds for such purposes. A particular need in Africa, for example, is the restoration of degraded natural habitats, for humans as well as a variety of animal and plant species. This type of pioneering ecological work is something the African Bank is interested in encouraging through its work with African governments and environmental nongovernmental organizations. The local currency funding might be obtainable from some pilot efforts through conversion of bilateral debt. If so, the African Bank should particularly be encouraged to develop its ideas on that approach.

Other provisions of H.R. 4645, and again thus this proposed act, encour-

ages that the World Bank consider, as part of its lending process, the record of compliance of government in abiding by agreements they have entered into as part of debt-for-development swaps that have required governments to set aside or limit the use of land for conservation purposes. This is a situation where a World Bank's oversight on environmental policies can be a useful complement to the work of local or international environmental organizations in establishing and funding such conservancy projects if governments do not honor their agreements.

Still another section of H.R. 4645, and thus this proposed act, responds to a pressing need to develop ongoing statistical data on the status of the poor in developing countries including social indicators of mortality, health, education, and nutrition, as a guide to policymaking to monitor poverty alleviation strategies and to identify and measure the impact of structural adjustment lending. The World Bank is already working with some African governments in such efforts. It should be encouraged to expand and accelerate this effort.

Finally, Mr. Speaker, I would like to stress the fact that this GCI has already been approved by governments with at least 79 percent of the voting shares of the Bank and is thereby already in effect. If the U.S. contribution to the GCI is not authorized, the present U.S. 18-percent voting share could and would eventually fall below the 15-percent level necessary to maintain our veto over charter changes as soon as a year from now. It would eventually fall to about 11 percent. Members should support this bill to continue U.S. leadership in the World Bank, to enhance and increase environmentally sound development efforts worldwide, and to promote market-oriented economic reforms.

Mr. Speaker, for all of these reasons and many more, I urge an "aye" vote on the motion of the distinguished gentleman from Wisconsin [Mr. OBEY].

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Speaker, I rise in support of the general capital increase for the World Bank. I believe the continued participation of the United States in the World Bank is an absolute necessity. And, I might add, so does the majority of the House Banking Committee where the GCI was approved by a vote of 35 to 12 last week.

I want to acknowledge the fact that the distinguished chairman of Foreign Operations Appropriations Subcommittee in his comments referencing the restructuring of Third World debt. This is certainly a pressing issue

weighting down the global economy and one to be addressed in a serious forum. But the subject is only tangential to the central issue of the GCI of the World Bank.

In my opinion, the case-by-case approach of Secretary James Baker has been successful but most certainly the next Congress will take a hard look at the worldwide debt problem and its profound domestic and foreign policy implications.

In approving this measure, the United States would join 144 other nations of the world who belong to the Bank and who have already approved their participation in the GCI. Only nations such as Vietnam, Kampuchea, Nicaragua, South Yemen, and Libya have refused to ratify their increase.

The approval of the GCI authorization will allow the United States to retain its 18 percent share of the voting power in the World Bank and will allow our Executive Director at the Bank to continue to wield United States influence, and pursue our interests when it comes to lending policies and decisions. U.S. influence has been central to the World Bank's evolution since its founding in 1946 and reflects this Nation's position in the international economy and our history of strong world leadership. As a result, we have been accorded the privilege of things such as nominating the Bank's President which is today, our former colleague, Barber Conable.

Economically, membership in the Bank has positive spinoffs for our own business community. For a 6-year authorization request of \$70 million, both the Treasury Department and the Chamber of Commerce estimate that annual procurement orders placed by the Bank in this country will run about \$1.5 billion. In addition, as U.S. exports have regained some of their competitiveness, the demand for these products has increased and nations receiving World Bank loans have turned around and purchased U.S. goods. This directly relates to our trade deficit picture.

While we may not always get our way as far as loan decisions are concerned, I believe it would be a grave mistake for the Congress to deny this authorization and thus relegate the United States to the status of a non-player in the international development arena.

Mr. Speaker, the World Bank works. It stands at the center of the global efforts to reduce poverty and stimulate growth.

The World Bank is a force for free markets because the United States has continuously insisted that market-oriented reforms be instituted and that loan recipients adopt monetary and fiscal reforms, eliminate government subsidies, and open protected sectors to competition.

The World Bank is cost effective in that for every \$1 the United States contributes, the Bank can lend over \$200.

The United States receives long-term economic benefits in that we depend on developing nations for their raw materials and for their demand for our agricultural and manufacturing goods and services. This GCI has a direct relationship to our trade deficit figures. We need markets and suppliers.

Mr. Speaker, the President supports the GCI, the Secretary of State supports it and our new Secretary of the Treasury, Mr. Brady, who has just returned from Berlin attending the meeting of the World Bank, supports this measure.

Let me quote from a letter written by the Secretary, Nicholas Brady, on September 29, 1988, as follows:

U.S. support for multilateral bank lending is a vital element of our foreign economic policy, and we will benefit through increases in trade with less developed countries and greater growth in our economy.

Mr. Speaker, I urge my colleagues to support this measure.

□ 1400

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I simply want to say that the President is for this, the Secretary of the Treasury is for it, the Secretary of State is for it, the Republican leadership is for it, and the Democratic leadership is for it.

The only countries who have not yet subscribed to the general capital increase, as has been indicated, are Libya, Vietnam, Cambodia, Romania, and Yemen. I do not think we would put them on our international list of winners.

It has been mentioned that there were some 73 loans provided by the World Bank with which our Government disagreed.

I would like to insert at this point in the RECORD a statement by the U.S. Treasury Department which addresses each of those loans.

REPLY TO REPUBLICAN STUDY COMMITTEE ON THE GCI BY U.S. TREASURY DEPARTMENT

Question: How do you respond to charges in the Republican Study Committee Press Release that the World Bank has approved some loans over U.S. opposition, and that this constitutes sufficient grounds for Congress to deny the Administration's request for U.S. participation in the GCI.

Answer: The loans we opposed during 1983-1987 comprise about 5 percent of the World Bank's non-concessional hard loan operations during the period. The overwhelming majority of World Bank operations are consistent with U.S. policy interests.

Of the total 31 IBRD loans opposed by the U.S., 10 loans were opposed pursuant to our oil and gas policy. While the loans were not stopped per se, the U.S. objective was achieved: the World Bank has now acqui-

esced to our view, and the loans for projects in this sector have diminished.

The United States opposed 9 loans due to inappropriate economic policies in the borrowing country, and not because the loans were directly contrary to U.S. interests.

Only 4 of the 31 loans were opposed because they involved production of goods (e.g. copper, steel, textiles) considered potentially competitive with U.S. enterprises. The U.S. also opposed an agricultural extension project in Brazil (1986) because of potential injury to U.S. producers.

The United States opposed 7 World Bank loans to communicate U.S. concerns over human rights violators in Chile and in Syria.

The Press Release was inaccurate in the examples given of past World Bank lending. Laos, Uganda, and Ethiopia have not been receiving hard IBRD loans; these countries are too poor to be eligible for IBRD loans that would be financed from the GCI.

The charge is unjustified that the World Bank provides loans to countries that support international terrorism. Only six countries—Cuba, Libya, North Korea, Iran, Syria, and PDR Yemen—are currently designated as countries that the U.S. Secretary of State has determined to have repeatedly provided support for international terrorism. None is currently an eligible borrower of World Bank hard loans that would be funded by the GCI.

The Administration also believes the U.S. vocal opposition to several IBRD loans were instrumental in initiating serious economic policy shifts in the borrowing countries: that is, the Philippine agriculture sector loan (\$150 million) in 1984, a Mexico low-income housing (\$150 million) in 1985, and a Brazil electric sector loan (\$500 million) in 1986.

BENEFITS TO THE UNITED STATES IGNORED BY THE RSC PRESS RELEASE

U.S. participation in the Bank enables us to:

Encourage a more secure and politically stable world;

Preserve and expand a free and open international economic system;

Alleviate poverty and improve material well-being of people in developing countries.

The U.S. subscriptions in the GCI, plus repayment flows from earlier loans, make available an average of \$18.8 billion in new annual World Bank loan commitments over the period, a multiple 268 times the U.S. appropriation.

In 1987, U.S. firms received \$1.6 billion in disbursements from the World Bank for foreign procurement—an amount which is greater than U.S. paid-in capital to the Bank over its entire history.

The GCI will provide new development funding for countries strategically and economically important to U.S. (e.g., Morocco, Pakistan, the Philippines, Tunisia, and Turkey) at a level far beyond what we could accomplish bilaterally.

Even more striking, the World Bank supports countries that are important to us where there is no bilateral economic assistance: Argentina, Brazil, and Mexico.

During GCI negotiations the United States secured agreement that the World Bank will foster:

Greater focus on the environment;
Increased reliance on market incentives;
Greater privatization of developing country economies.

United States failure to participate in the GCI would cause the U.S. to lose leadership in the World Bank and seriously erode our

ability to provide the follow-through that is necessary to implement the reforms agreed upon in the GCI negotiations.

Only the United States and seven other countries—Kampuchea, Libya, Romania, Rwanda, United Arab Emirates, Vietnam, and Yemen P.D.R.—have not cast their vote on the GCI.

It clarifies that situation quite a bit, and it also points out that even if one feels that that number was an accurate number, it would only represent some 5 percent of the loans made, which would mean that we contribute 18 percent of the money for the general capital increase, and we win 95 percent of the arguments. That is not a bad percentage anytime in my judgment.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Speaker, I rise in support of the motion.

The question is no longer whether the capital of the World Bank should be increased, but whether the United States should continue to exercise leadership in an international institution it founded more than 40 years ago. I believe that the United States should continue to exercise this leadership. The President, the Secretary of State, the Secretary of Treasury, and the House leadership on both sides of the aisle believe the United States should continue to exercise this leadership.

The capital increase was an important initiative for the administration. In a letter to House leadership, President Reagan noted that the capital increase is in "our national economic and strategic interest." Secretary of State George Shultz also wrote House Members urging U.S. approval of the increase, noting that the increase "represents a sound investment in our own future as well as a humanitarian gesture to the nations of the Third World." Secretary of the Treasury James Baker III testified before the House Banking Committee that the United States has been a major beneficiary of the World Bank and failure to participate in the general capital increase would cause a loss of our leadership in the institution.

Failure to authorize this capital increase will mean a loss of U.S. leadership in the World Bank and will signal to the international community that we no longer want to play the lead role in the world economy. Given our past successes and future challenges, we cannot afford to abdicate leadership.

Finally, Mr. Speaker, I want to emphasize once again that all Members should be aware that there is far more at stake here than the GCI. Many of the foreign aid appropriations made in H.R. 4637 may not be disbursed unless the amendment in question is approved. This is not only a foreign policy issue but a trade policy issue

and whether our trade policy will be as aggressive in a very competitive market.

Mr. Speaker, I urge adoption of the amendment.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman from Oklahoma [Mr. EDWARDS], my friend, for yielding.

A lot has been made today of the fact that we want to pass these 13 appropriation bills so we do not have to face a continuing resolution. I guess everybody is in agreement with that. But there are ways of doing things, and then there are ways of doing things. We should not swallow every last-minute addition just to say that we passed 13 appropriation bills. That is how Congress gets into trouble and makes bad decisions, like this one. I think we should always pass judgment on the merit of each piece of legislation. That must be the form.

Now the gentleman from Wisconsin [Mr. OBEY], our good friend, says, "If you have concern, sign my letter," but I do not think that that is a solution. We have concerns about the World Bank, and now is the time to examine this legislation, not just send some letter. A letter on the World Bank at this point is meaningless.

The presiding officer yesterday said that the provisions dealing with the World Bank do not belong in this legislation, and so someone went back to the Committee on Rules, and got them to propose this change in the rules. That is not a proper procedure. Not content with the ruling of the chair, the proponents of this \$14 billion mistake want to change the rule.

Mr. Speaker, I am concerned about some of the World Bank's practices. If this is such a good provision, if it is so important, then let its supporters bring this legislation up under its own merits. Let us not hide the World Bank authorization in a huge bill that Members have to vote for for one reason or another. Let the World Bank bill stand or fall on its own strength or weakness.

Just because we do not want a continuing resolution does not mean that we want to acquiesce and swallow everything. Our first obligation is to our own people, our own taxpayers. They put their trust and confidence in us, and I think that we owe them the obligation of passing on the merits of the legislation.

Mr. Speaker, that is why I am opposed to this legislation, not only because of my concerns about the content of the legislation, but also because of the manner in which we are passing this legislation. It is a proper way of doing business.

To give my colleagues some idea of the important questions which pertain

to the World Bank, I am enclosing the text of a speech describing the impact of the World Bank's assistance to totalitarian governments on the people of those troubled countries.

SUBSIDIZING TRAGEDY: THE WORLD BANK AND THE NEW COLONIALISM

(An Address by Yonas Deressa, President, Ethiopian Refugees Education and Relief Foundation, Inc.)

You've all seen the pictures of starving, gaunt-faced men and women, the children with the dull, hopeless eyes and swollen bellies. This year, like three years ago, famine has returned to Ethiopia. This time, as the last, people are suffering as a direct result of the policies of ruthless, inhuman communist regime that cares not the least bit for human life—only for the preservation and expansion of its own power.

In the years since the 1984-85 famine, people in the West have learned the truth about the reasons for that tragedy. Now they are aware that strongman Mengistu Haile Mariam took advantage of drought to engineer a famine in order to destroy opposition. In areas of rebel activity his soldiers burned crops, stole livestock, confiscated seed and food reserves. Mengistu cut those areas off from the rest of the world. He only allowed relief aid after the international outcry that resulted when a BBC camera crew smuggled out the footage we now remember so well: the videotapes of his wretched victims. Much of the food that was sent by the West to feed the hungry was diverted and used to supply Ethiopia's huge army instead. The areas in the north where opposition to the regime is strongest were precisely the areas that were hit hardest by the famine, because Mengistu deliberately kept food away from them.

But that is only the tip of the iceberg. The Soviet client regime in Ethiopia has committed crimes beyond description, worse even than those of the infamous Idi Amin. This is a dictatorship that during its Red Terror campaign of ten years ago murdered hundreds of schoolchildren and left their bodies stacked in the streets and hanging from lamp posts. Political murders number in the thousands, and everyone in the cities lives in fear of the midnight knock on the door, of being taken away to disappear forever. Suspected democrats are tortured by suspending them from shackles and hanging concrete weights from their genitals. This regime has earned for itself the distinction of being the most brutal on the face of the earth. In its determination to construct a new Marxist-Leninist workers' paradise, it is destroying everything it touches, with no regard for the havoc and misery it leaves in its wake.

In pure Stalinist fashion, this dictatorship is engaged in a massive social engineering program that is wrecking the very structure of Ethiopian society, destroying the lives and families of millions, and ruining the country's ability to feed itself. And, most ironic and tragic of all, Mengistu is using money from the West—from the World Bank—to do it. The World Bank has given over 659 million dollars to a regime that is recognized as the most oppressive and inhuman in the world. Why?

In 1984 the Mengistu regime began a project called "Operation Red Star," to move a million and a half people from areas in the high, arid north to camps in the humid lowlands of the southwest. Mengistu claimed that the reason was to prevent famine, but the real reason was to depop-

ulate areas of guerrilla activity. Mao said that a guerrilla "moves among the people like a fish swims in water," so Mengistu has decided just to drain the pond.

Soldiers come to drag farmers off their lands during harvest time. Families are deliberately torn apart, and people brutally packed into trucks, buses, and unheated and unpressurized airplanes. Thousands die on the journey—many from suffocation or being trampled to death. Often the authorities starve people in jails before the journey to make them easier to handle. And most tragic of all, many who are kidnapped have grown sufficient food for themselves and their families. They are in no danger of starvation at all!

When they arrive at their destinations these people find themselves not in new homes, as the regime tells Westerners. They become inmates in prison camps. They are forced to labor at gunpoint, with little food, and under the constant threat of torture, beatings, and death. People are paid with food to inform on one another. Many try to escape, and those who fail are shot. From what my own sources tell me, I estimate that at least 160,000 have died so far in the camps or during relocation. Mengistu plans to subject 1.5 million people to this abomination.

When the West found out about this, the outrage was so great that Mengistu was forced to suspend the project for a few months. But even when the protests were at their loudest, the World Bank proposed to give him more money—a hundred million dollars for "development."

Then there is what the regime calls its "villagization" campaign. In it soldiers force families to pull up stakes and carry their houses on their backs to centralized compounds, where they can be watched and constantly supervised by agents of the regime. If they don't submit they are beaten, raped, or killed. In these so-called villages people are reduced to the status of serfs. Their crops are taken from them, and they are forced to attend interminable indoctrination sessions, to teach them how to be good communists. The dictatorship has vowed to subject over 30 million people to this ruthless campaign.

Even where these monstrosities haven't yet been imposed, the damage by the regime to Ethiopian society is tremendous. Mengistu has destroyed the traditional farming economy with communist controls on prices, by confiscating all land, and by making the state the sole buyer and seller of food. Since 1979, agricultural output has fallen in Ethiopia by 15 percent. Before the communists, my country not only fed itself, it even exported food. Now, even in good years, 7 or 8 million people are on the verge of starvation. Ethiopia has become an economic basket case. Life has become so horrible that over 3 million people have fled, most of them trudging for up to a month through the wilderness risking death from thirst or starvation.

What is the World Bank's answer to this litany of cruelty and disaster? In the face of overwhelming evidence that Ethiopia's rulers are murdering cutthroats, hostile to the West, and committed to violence and expansionism, the Bank carries on business as usual. In 1985 it doled out an amount equal to sixteen percent of the dictatorship's budget. In 1986 it gave Mengistu 45 million dollars. In May 1987 it handed the Ministry of Agriculture, which has been carrying out the villagization campaign, 39 million dollars. And a few months ago it proposed a loan of a nice, round 100 million dollars.

Ethiopia's case, while perhaps the most extreme in Africa, is not unique. Nearly everywhere on the continent inept, uncaring, and corrupt regimes are bleeding their people dry. But to all of them, the World Bank hands out money like candy, helping to keep ruthless dictators in power, making them millionaires through stolen funds, and financing the oppression of their victims.

In Tanzania, for instance, the Bank provided the money for dictator Julius Nyerere's campaign called *ujamaa*, a prototype of Mengistu's villagization. Farmers lost their freedom, and the state took over their lands and claimed their crops, all with the help and blessing of the World Bank. In a few short years Nyerere turned his country into a ruin, a starving beggar nation. But the Bank has never admitted its folly.

In fact, the World Bank is a leading exponent of what I call the New Colonialism. Ethiopia was unique in black Africa in that, until it became a vassal of the Soviet Union, it had never been colonized. The rest of the continent was divided up in the 19th century between the European powers: France, Britain, Germany, Belgium, and Italy.

These old colonialists were concerned mainly with trade and the extraction of our raw materials, and had little desire to interfere in the day to day lives of their subjects. They left native institutions and customs pretty well alone, even ruling through local chiefs and headmen, as the British often did. Their influence was concentrated mainly on the coasts, rivers, and a few major population centers. Nine-tenths of Africans continued to live much as they had always done.

Now, I'm not saying the old colonial rule was good or fair. Africans were treated as second-class citizens, and often colonial governments were stupid, clumsy, and heartless. And remember, no matter how enlightened a colonial ruler is, people want to be able to run their own countries. But, ironically, it was in the late fifties and early sixties—when the Europeans left—that the real oppression of the African people began.

As the old white elite relinquished power, the machinery of colonialism was simply taken over by a new, African elite. But unlike their predecessors, the new rulers wanted absolute hegemony. They ruthlessly crushed opposition, and began immediately to impose arrogant, unworkable social engineering schemes on their helpless subjects. Badly educated in third-rate Marxism, they looked upon their populations as little more than ants in an anthill, or cogs in a machine.

All over Africa dictators interfered in every aspect of their people's lives. Africa's century's-long traditions of free trade and entrepreneurship were swept away by pathetic, incompetent attempts to plan economies. State bureaucracies expanded tremendously, but without a European industrial base to support these new parasites. As a result the 80 percent of Africa's population that lives in the countryside is squeezed and exploited to support a new class of government worker who makes up to ten times the per-capita income.

This huge expansion of government power has been paid for in part by funds from the World Bank. The Bank has funneled billions to African dictators to help them consolidate their power. It has actively helped them set up immense so-called "development" projects that wind up sucking the life-blood of their economies.

Almost every kind of boondoggle you could imagine has been dreamed up and

paid for by the World Bank in the Third World. Huge irrigation projects that waterlog the soil or fill it with salt so that it becomes sterile. Government-owned steel mills that immediately fail because of bad design or because there is no market for their product. Soviet-style state farms that can hardly grow enough to feed their own workers. Dams that flood valuable forest and farmland, destroy peoples' homes and provide breeding grounds for disease and mosquitos. Badly-constructed highways to nowhere. State-run cattle ranches that turn grassland into desert. In Vietnam, the Bank even directly financed the infamous "new economic zones" that resulted in hundreds of thousands fleeing the country in overcrowded, leaky boats. You name it, the Bank has done it.

The World Bank has spent billions on agriculture in Africa—2.4 billion dollars between 1973 and 1980 alone. And yet since 1960 per capita food production has fallen 20 percent. All the money has done is to strengthen the stranglehold of dictatorships on the lives and work of their people.

And always money is skimmed off, to fill the pockets of the ruling classes, to swell the Swiss bank accounts of dictators, to build luxurious villas and buy Mercedes-Benzes for the new colonialists, while their countrymen live in abject squalor. But the Bank hardly seems to care.

Conceivably such an institution as the World Bank could do a lot of good in Africa and the rest of the Third World. It could make funds available to set up local banks and savings and loans, that could advance capital to qualified people who wanted to start small businesses, or to farmers to expand production on their family holdings. But for such enterprises to be successful, they must take place in societies where the people are free to act in their own interests, where governments let people live their own lives. Unfortunately, the World Bank has actually fostered the kinds of regimes that prevent development. By funding state capitalism, it has discouraged enterprise, promoted socialism, and perpetuated poverty.

Today this kind of folly is more apparent than ever before. Socialism has been stripped of its credibility in the eyes of the entire world. While the socialized economies of Europe haven't created a single job in the last 8 years, in that same time Reagan's America produced 15 million new jobs, and shows no sign of slowing down. The courageous Mrs. Thatcher has revitalized the once moribund British economy. Even the rulers of those bastions of socialism, the Soviet Union and Red China, recognize the bankruptcy of socialism, and are trying to find a way to get the economic benefits of freedom without losing power.

It is time for the World Bank to recognize the error of its ways. Every dollar it lends to ruthless dictatorships adds to the suffering of their people. Every loan that fails to raise productivity adds to a crushing burden of debt, that will either hang like a millstone around the necks of generations, or will be defaulted on and add to the West's own financial difficulties. Every advance to such ruthless rulers as Mengistu frees up funds for the military and bureaucracy. As long as the World Bank gives them money, they don't have to make the choice between oppressing their people and survival.

Remember, it's your tax dollars that the World Bank is spending to keep dozens of little Hitlers and Stalins in power. Write to your Congressmen. Tell them you want an end to this continuing disaster. Better that

the Bank's magnificent buildings here in Washington be demolished or sold. Better that its legions of overpaid, underworked bureaucrats be forced to get real jobs.

Better that those billions be used for a strong, well-armed American presence in the world, than that another cent of your money be spent to subsidize tragedy.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, what we are debating here is simply a referendum on the World Bank. Does the World Bank deserve \$14 billion more of taxpayers money?

That is what we must decide—should we shovel \$14 billion more in U.S. tax revenue into World Bank subsidies, increasing the bank's annual lending to \$20 billion? I say no.

I say that the World Bank should not receive a penny until it makes the drastic and long overdue reforms that many of us in this body have been demanding for years.

Some of you may have seen a report that James Bovard wrote for the Cato Institute last year detailing just what the World Bank is doing with these tax dollars. For one thing, the bank's International Finance Corporation—established to promote private sector development, by the way—is loaning millions to oppressive Communist nations and a host of state run projects.

Should we be squandering our precious investment capital on regimes hostile to our principles? The IFC thinks so—the fastest growing part of the bank's portfolio in the past decade has been its loans to Communist nations, and, in fact, Yugoslavia is the bank's largest beneficiary, having receive nearly \$400 million in loans.

Additionally, the IFC has made loans to Romania, Hungary, Poland, Ethiopia, Mozambique, and South Yemen, not to mention the Soviet Union and mainland China.

Furthermore, Mr. Speaker, while the debt bomb is ticking, the World Bank is setting the timer. U.S. tax dollars continue to be committed to the World Bank at an alarming rate to bail out heavily indebted Third World nations, even as they increasingly talk of repudiating their debt.

Worse, despite the billions U.S. citizens are pumping into the World Bank, the United States receives much the same treatment from the bank as it does from the United Nations. The Washington Times has noted that "between 1983-1987, the U.S. veto was overridden 73 times for a grand total of \$5 billion in loans, 13 of which went to communist Ethiopia at the height of its murderous resettlement program."

As a member of the Veterans' Affairs Committee deeply involved in trying to bring our POW-MIA's home, I particularly dislike the fact that over United States objections, \$15 million was provided to Laos—a country that

may be holding United States POW-MIA's.

This unrestrained and often irrational lending at a time when we have so many unmet needs here at home cannot be supported. It is long past time to cut off the World Bank until deep and meaningful reforms are completed.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 1 additional minute to the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I thank the gentleman from Florida [Mr. BILIRAKIS] for yielding.

I am concerned about the issues that have been raised as well on which I have demonstrated that concern for some period of time. I just think it is important probably to note and to have the gentleman's recognition, if he is able and willing, to say that the general capital increase, which has been the focus here in the World Bank, has not been for the IFC, but for the IBRD, and those IBRD funds are not the subject of all of the concerns and outrageous situations that the gentleman has mentioned.

Would the gentleman from Florida [Mr. BILIRAKIS] concur in that judgment?

Mr. BILIRAKIS. Mr. Speaker, I am sure the gentleman from Nebraska [Mr. BEREUTER] has much more knowledge on that subject than I do from a direct standpoint, but, as far as I am concerned, I am not sure they can be separated. The gap is not really that large, and my feeling is that the overall workings of the World Bank which of course includes the—

Mr. BEREUTER. Mr. Speaker, will the gentleman yield once more?

Mr. BILIRAKIS. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I appreciate the comments of the gentleman from Florida [Mr. BILIRAKIS], and I would join the gentleman in suggesting that we need to focus more direct concern, and outrage and oversight on the IFC that is responsible for the activities that the gentleman has brought to our attention.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would simply again like to correct some of the statements just made.

Mr. Speaker, this motion does not provide \$14 billion in taxpayers' money for the GCI. This motion allows us to proceed with funding \$50 million for the general capital increase.

Second, I would like to point out that, as far as the IFC is concerned, the administration asked for \$35 million for the IFC. In contrast, this com-

mittee provided only \$4.8 million for the IFC. That is hardly cooperating in providing a large amount of money in comparison to the administration's request for an institution which the gentleman seems to oppose.

Third, I would point out that the IFC is not within the purview of this motion. If my colleagues vote for or against this motion, they will not be voting on the IFC in any way, shape or form.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. WORTLEY].

Mr. WORTLEY. Mr. Speaker, I rise in strong support of amendment 119, of the general capital increase, because without it the United States would be sure to lose significant influence in the World Bank.

I was a participant at the annual World Bank Conference in West Berlin earlier this week. I was asked several times why the U.S. Congress had not approved the GCI. As you know, we are in very strange company in not yet approving the increase, Vietnam, Libya, Yemen, Kampuchea, and Rumania, among a few others. I assured our friends and trading partner that the GCI would soon be agreed to.

Of course, there are other important reasons the Congress should pass the GCI. We are bound to lose a large amount of votes in the bank, enough to lose our veto power, if we neglect our national economic and strategic interests by refusing to subscribe to the already accepted increase.

Let's take a minute to look at what may happen if the Congress fails to accept the increase. We are operating in a global economy today, one in which many prospering countries would be more than happy to reverse U.S. influence in that economy by whatever means.

For example, the Japanese have been less than candid in their interest in assuming a larger role in the World Bank. The Japanese have recently floated a plan which would essentially forgive many Western loans to Third World countries which have payment difficulties. The U.S. Government, the Congress, and U.S. banks have international obligations to fulfill. We cannot afford to simply allow countries such as Japan to come into the World Bank and squash our interests and obligations.

Sure, the World Bank needs reforms. Several of my colleagues are not supportive of the increase unless it is somehow tied to a form of Third World debt reduction. Others don't want to support the increase because they are rightly concerned about the Bank's loans to "Socialist," which means Communist, countries which in turn don't use the money for legitimate purposes.

I acknowledge that there are problems at the Bank. But we have our own man running the show there. Barber Conable is working to reduce the Third World debt burden and to restructure loan policy to Communist governments such as Ethiopia. He is doing this in an effective and thorough manner.

I have to ask, however, what would happen to the leadership structure of the World Bank if the United States, thanks to the Congress, loses significant influence in it. I'm afraid that people such as Mr. Conable, who have American interests in mind, would not be in positions of authority, as they are now.

Mr. Speaker, it is vital for the United States to hold on to its influence in the World Bank. I strongly urge my colleagues to support this capital increase.

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Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me this time.

As I understand it, only about 3 percent of what we pledge to the World Bank is in the form of cash, so this \$420 million that we are pledging over the next 6 years represents an additional pledge of about \$14 billion, so if the World Bank needs that money or needs those assets, we are pledging \$14 billion of U.S. taxpayers' money to the World Bank.

Now, where is this money going? Let us just look at where it has been going since 1980. From 1980 to 1986 these are the Communist countries that have received U.S. taxpayers' funds:

There is \$149.4 million to Binin.

There is \$4.169 billion to China.

There is \$95.6 million to Communist Congo.

There is \$470.5 million to Ethiopia that is slaughtering their own people right now in Eritrea and Tetre Provinces, using our food stuffs as a weapon, and that is a Communist tyranny.

Guyana, \$88.1 million.

Hungary, \$992 million.

Laos, \$38.5 million.

Communist Mozambique, \$47.5 million.

Communist Nicaragua, that we have been opposing, \$106.7 million of United States taxpayers' fund.

There is \$1.007 billion to Communist Romania.

There is \$126.1 million to Communist Yemen, and \$2.725 billion to Communist Yugoslavia.

The American taxpayers do not want their moneys used for that purpose, and yet that is what is happening.

Now let us talk about another issue. This body votes continually against

Federal funding for abortion, and yet there are funds that are used by the World Bank to support abortion and family planning in other countries. For instance, in Indonesia they are using World Bank funds for Government programs over there that fund abortion and family planning. They are doing it in the Philippines. They are doing it in China. They are doing it in Pakistan and they are doing it in Bangladesh.

So if you are opposed to abortion and using Federal funds for it, how can you support using Federal taxpayer dollars to go to the World Bank, which in turn will be used for abortion worldwide? It simply does not make sense.

This is a bad precedent we are setting today. We should not appropriate this money. We should stop it.

Mr. BEREUTER. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to my colleague, the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding to me.

I would say to the gentleman that we have not had testimony before the subcommittee on the use of World Bank funds for abortion. There have been nations that deny they use it.

I would also like to say to the gentleman that the nations he has mentioned in general are not eligible for the GCI because they are too poor. They do not get this money.

Mr. BURTON of Indiana. Well, I know you can try to split this out and say that, but the World Bank funds that are going—and I am against funds for the World Bank if they help our enemies or if they support abortion programs.

I would just like to quote from a book entitled "Human Life International" by William M. O'Reilly:

An example of this (World Bank funding) would be paying the salaries of the abortionists in the hundreds of clinics throughout Bangladesh. Since AID and UNFPA are under pressure to not fund abortion activities, this item is paid for by the World Bank, where there is less scrutiny of expenditures for abortion-related activities.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in the strong support of this general capital increase for the World Bank.

U.S. support for this increase and for the World Bank in general is vital to reassure the international community that the United States will not backpeddle away from its responsibility to provide leadership and guidance to the nations of the Third World.

The importance of the continued development of multilateral institutions like the World Bank cannot be over-emphasized.

This GCI for the World Bank, with full U.S. support, will help reestablish the world's economic and financial and environmental health as well as pay substantial dividends to U.S. foreign policy.

The general capital increase is in our national economic and strategic interests. The Bank commits the vast majority of its funds in support of specific investment projects in the middle-income developing nations. These are mostly nations—such as the Philippines, Egypt, Pakistan, Turkey, Morocco, Tunisia, Mexico, Argentina, Indonesia, and Brazil—that are strategically and economically important to the United States.

The Bank's general capital increase will provide new development funding for these countries at a level far beyond that which we could accomplish bilaterally.

I would stress, as many of my colleagues have, that this appropriation calls for an outlay of only \$70 million.

When one looks at what the United States has to gain for this investment, the cost becomes a bargain, and a sound investment in our future, as well as a humanitarian gesture to the nations of the Third World.

It is humanitarian in the sense that it contains provisions which will help make loans from the World Bank that both the people and the environment of these Third World nations can live with.

This bill contains provisions that will establish debt for development swaps which will allow debtor nations to make deductions on their debt owed to creditor nations if the corresponding amount is donated to eligible non-profit organizations for charitable, educational, and environmental uses such as the protection of tropical rain forests.

Past strong U.S. involvement in the World Bank has pressured the Bank to review its environmental policies and make environmental considerations central to every one of its lending programs.

New language in this bill that would have loans granted only for "sustainable development projects" ensures further advancement on environmental concerns so that a rush to development does not take place at the expense of the environments of these nations.

By opposing this bill, we will only weaken U.S. influence and cripple our standing as a supporter of effective multilateral cooperative economic approaches.

I urge my colleagues to support this GCI for the World Bank.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut [Mr. MORRISON].

Mr. MORRISON of Connecticut. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I think it is important to underscore what the chairman of the subcommittee has been saying about this motion, which is that it has a lot more in it than the World Bank. The discussion on the floor might suggest that that is all we are voting on here.

Clearly, the appropriation for the World Bank for next year has already been adopted by the House and what we are talking about here is authorizing most of the foreign assistance programs that are otherwise funded in the bill, and in particularly aid to the Middle East in terms of Israel and Egypt.

I intend to vote for this motion.

I also want to commend the subcommittee chairman for the language that is in the conference report with respect to the issue of Third World debt.

I would have preferred that the authorization language that was adopted in the Banking Committee required some additional checkpoints with respect to the Banking Committee jurisdiction, and the examination of the issue of Third World debt, but I also understand that the Appropriation Subcommittee shares many of the concerns which we expressed in the Banking Committee, and which are incorporated as stated concerns in the conference report.

I think it is important to emphasize what that language in the conference report says, which is that the current policy of the World Bank with respect to the debt of the major middle income debtor nations in the world is inadequate and there needs to be a change in direction.

Mr. Speaker, I will insert in the RECORD the dissenting views of myself and the gentleman from Massachusetts [Mr. FRANK] and the gentleman from New York [Mr. SCHUMER] in the report of the Banking Committee regarding the bill which is incorporated as the authorization in this bill to underscore our concerns that this issue of the debt in the Third World and the importance of a more aggressive posture by the World Bank is something that needs to be reexamined as the Appropriations Committee considers subsequent year appropriations under the authorization that will be enacted under this motion that is pending now.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The dissenting views above referred to are as follows:

DISSENTING VIEWS OF BRUCE A. MORRISON, CHARLES SCHUMER, AND BARNEY FRANK, BANKING COMMITTEE, GENERAL CAPITAL INCREASE OF THE WORLD BANK

We are supportive of the mission of the World Bank. This mission is the promotion of sustainable growth and broadly based development of less developed countries (LDCs). To accomplish this mission, the resources of the World Bank must be used for lending that is likely to improve the economic performance and social conditions in the borrowing countries. Because current lending practices of the World Bank fail to meet these standards by promoting a reduced debt and debt service burden for the borrowers and because H.R. 4645 authorizes a massive increase in U.S. liability for contributions to the World Bank without sufficiently conditioning the contribution on a change in World Bank debt strategy, we oppose the bill and dissent from the majority report.

Since 1982, the onset of the debt crisis, the LDCs have doubled their debt (see the Appendix: Ratio of Public and Publicly Guaranteed Debt Outstanding and Disbursed to Gross National Product and the Public and Publicly Guaranteed Debt Outstanding and Disbursed for the Seventeen Highly Indebted Countries). The three most negative consequences of the debt problem are by now well known. First, the frantic efforts of the debtor nations to earn enough foreign exchange to pay their annual interest tab has produced import restrictions in their markets and promotion of exports into our markets that have had a major negative impact on our balance of trade. That, of course, has translated into the loss of thousands of U.S. jobs, especially in our export sector. And this has included a self-defeating process by which the flooding of commodity markets in a furious pursuit of foreign exchange has depressed their terms of trade.

Second, the U.S. and global financial systems continue to be at risk from the huge overhang of Third World debt that both market evaluations and bank reserving decisions predict cannot be paid in full.

Third, our national security interest in bolstering democratic rule in Argentina, Brazil, Mexico, the Philippines, and elsewhere is jeopardized by the downward spiral of living standards in those nations caused by the discredited strategy of borrowing more to pay interest while allowing growth promoting investment to languish (see the Appendix: Growth Tables).

The Third World debt problem prevents the World Bank from fulfilling its development mission. The Baker Plan, the Bank's existing strategy for dealing with the debt crisis, has proven ineffective. In fact, World Bank policies which increasingly emphasize policy-based lending to the highly indebted countries proves to be in fact, if not in intention, a mechanism for funneling U.S. taxpayers' dollars through the debtors to their commercial bank creditors in the form of interest payments at the expense of growth and development in those nations.

For example, note the two most recent debt rescheduling packages: Brazil and Argentina. The IMF and the World Bank have both pledged money to Brazil along with the private banks, but the total \$6.6 Billion package is less than Brazil is expected to pay the private banks for their interest bill this year alone. The World Bank has pledged \$1.25 Billion to Argentina, which is negotiating with the IMF for an additional

\$1.2 Billion. The total of public funds to be committed exceeds the \$2 Billion the Argentines need to pay this year's interest bill. It is an open secret that Brazil and Argentina will be back next year to borrow more money to pay their next year's multi-billion dollar interest bill.

Fully one-fourth of the World Bank's lending will be used for SALs. This thinly disguised balance of payments lending will surely be used to enable payments on existing debts. At anticipated lending levels, that would mean \$30 Billion of World Bank money could be used to pay debt service over the six years of the GCI. That increased exposure of the World Bank will occur without any commensurate improvement in the debt and creditworthiness of the borrowing countries; instead, they will be still deeper in debt.

The results of the failure to develop a coherent strategy for dealing with the debt crisis is reflected in the disturbing development statistics recently reported in the Bank's World Development Report 1988 and the Bank's Annual Report, 1988:

1. There have been widespread reversals in child health, nutrition, and education;

2. The growth rate in Gross Domestic Product (GDP) in Highly Indebted Countries (HICs) has dropped from 3.5% in 1986 to 1.7% in 1987. In Latin America, the drop has been from 1.4% in 1986 to a negative growth rate of -0.5%. The level of standard of living in Latin America today is the same as it was in 1978. In other words, there has been no progress since 1978;

3. Growth rates in per capita GDP for HICs is projected by the World Bank to be between 1.0% and 2.5% by 1995, not nearly enough to substantially add to the standard of living, even in the best case;

4. Investment within the HICs has declined at an average annual rate of 5.3% between 1980 and 1987. In large part, this represents the capital the HICs must export to pay interest on outstanding debt. Without dramatic increases in investment in the productive capacities of these nations, there is no hope for improvements in standards of living, no hope for growth, and no hope that new markets will be opened in these countries for American exports.

5. Another measure of this problem is the net capital transfers. In 1987, the debtor nations of the Third World sent \$17 billion to the industrialized nations, further reducing the opportunity to create wealth through investment.

6. Recently, the problem of capital flowing out of some HICs to pay debt and debt service has extended to the World Bank. Latin American debtors have paid \$361.8 million more to the World Bank than they have received in development financing.

This latest fact is an ominous sign. How much longer can or will these nations be willing to drain capital desperately needed for domestic investment to repay banks that are supposed to be contributing to development? If the HICs are forced to continue to export capital they need for development, they will have no incentive to repay the World Bank. This, in turn, could threaten the credit rating and perhaps the solvency of the Bank, putting at risk a portion of the approximately \$14 billion in callable capital voted by the Committee at a time of severe budgetary constraint.

This concern is exacerbated by the increase in the number of countries now in default to the World Bank, the decrease in commercial bank lending, and the selling off of existing loans on the secondary markets. As these trends continue, the World Bank's relative exposure will grow, thereby increasing the threat to its fiscal stability.

H.R. 4645 expresses concerns regarding the debt problem and directs the U.S. executive director to the World Bank to seek better controls on SALs. Unfortunately, these provisions do not go far enough to assure that continuing U.S. support for the World Bank is conditional on real progress in promoting sustainable growth through a sensible debt strategy. We believe that the Banking Committee should not have approved the GCI without adequate assurance that there will be renewed growth in the debtor nations, their underlying debt problems are being resolved, and they are being returned to creditworthiness. Without such assurances, we are risking the long-term weakening of the World Bank, we are exposing the U.S. taxpayer to major financial risk due to our callable capital commitments in

the GCI and in past World Bank funding authorizations, and we are not doing what we could for new growth and trade promotion strategy for these nations.

Instead of proceeding in this fashion, we have supported several variations of the same theme—tying continuing U.S. support to the GCI to ongoing accountability of economic performance in the debtor nations. We proposed regular reporting and reauthorization checkpoints to chart the progress of the debtor nations with regard to reducing the debt burden for achieving sustainable and equitable economic growth as measured by:

(A) the reduction in the annual ratio of debt service to exports of such country,

(B) the increase in net resources flows into such country,

(C) the reduction in the ratio of the overall stock of indebtedness to the gross national product of such country,

(D) the increase in new investment within such country, and

(E) the growth in per capita income for the majority of the population of such country.

In the absence of imposing such objective measures, we fear the continuing claims of success for the current debt strategy, despite the clear economic evidence to the contrary. We believe that our approach met our goal of sending a clear and binding signal to the World Bank that the U.S. Congress believes a new direction is required on the debt/growth problem. There are many other potential solutions worthy of consideration. The key, however, is to end the role of the U.S. as a roadblock to the solution. In the absence of the needed change in approach, support for the full six-year GCI is irresponsible.

This issue is not going away. The IMF quota increase is expected to come before the Congress next year. Those of us who believe that it is the mission of the international development institutions to promote growth and development, not debt service, in the Third World ask: how many more billions of dollars in commitments will the Congress endorse before we call a halt to a failed debt strategy?

TABLE 2. PUBLIC AND PUBLICLY GUARANTEED DEBT OUTSTANDING AND DISBURSED [DOD], 17 HIGHLY INDEBTED COUNTRIES, 1978-86

[In billions of dollars]

	1978	1979	1980	1981	1982	1983	1984	1985	1986
Argentina.....	6.7	9.6	10.2	10.6	15.9	25.4	26.7	35.6	38.5
Bolivia.....	1.7	1.9	2.2	2.7	2.8	3.1	3.1	3.2	3.5
Brazil.....	30.2	35.6	40.2	44.9	50.5	59.8	70.3	73.9	82.5
Chile.....	5.6	4.8	4.7	4.5	5.3	6.9	10.8	12.9	15.1
Colombia.....	2.8	3.4	4.1	5.1	6.0	6.9	8.0	9.4	11.4
Costa Rica.....	1.0	1.3	1.7	2.2	2.4	3.2	3.3	3.6	3.6
Ecuador.....	2.2	2.6	3.3	4.5	4.0	3.2	6.7	7.1	7.9
Ivory Coast.....	2.8	3.7	4.3	4.5	5.1	4.9	5.1	5.9	6.5
Jamaica.....	1.1	1.2	1.4	1.7	2.1	2.4	2.6	2.9	3.0
Mexico.....	25.5	29.0	34.0	43.1	51.6	66.8	70.1	72.2	75.0
Morocco.....	5.1	6.2	7.4	8.1	9.1	10.3	10.6	12.8	14.6
Nigeria.....	2.4	3.3	4.2	6.3	9.1	12.2	11.7	13.0	21.5
Peru.....	5.4	5.9	6.2	6.0	7.0	8.6	9.6	10.5	11.0
Philippines.....	4.3	5.2	6.5	7.6	8.9	10.6	11.6	13.6	19.8
Uruguay.....	0.8	0.9	1.1	1.3	1.7	2.5	2.5	2.7	2.8
Venezuela.....	6.9	9.8	10.7	11.4	12.2	13.8	18.1	17.1	24.5
Yugoslavia.....	3.4	3.7	4.6	5.2	5.5	7.2	8.6	11.6	13.2
Total.....	107.9	127.1	146.8	169.6	199.2	250.0	279.6	308.0	354.4

Source: World Bank. World Debt Tables. 1984-85, 1985-86, and 1987-88 eds.

TABLE 3. RATIO OF PUBLIC AND PUBLICLY GUARANTEED DEBT OUTSTANDING AND DISBURSED TO GROSS NATIONAL PRODUCT [DOD/GNP], 17 HIGHLY INDEBTED COUNTRIES, 1978-86

[In percent]

	1978	1979	1980	1981	1982	1983	1984	1985	1986
Argentina.....	16.0	8.2	18.1	18.9	30.4	42.8	37.0	58.9	51.7
Bolivia.....	52.6	43.5	77.1	87.6	92.0	112.0	112.3	73.0	90.6

TABLE 3. RATIO OF PUBLIC AND PUBLICLY GUARANTEED DEBT OUTSTANDING AND DISBURSED TO GROSS NATIONAL PRODUCT [DOD/GNP], 17 HIGHLY INDEBTED COUNTRIES, 1978-86—

	Continued								
	[In percent]								
	1978	1979	1980	1981	1982	1983	1984	1985	1986
Brazil.....	14.8	15.6	17.3	17.6	19.9	31.0	35.5	34.4	30.6
Chile.....	29.1	24.0	17.8	14.5	23.5	38.1	62.9	91.8	101.1
Colombia.....	12.2	12.2	12.3	14.1	15.7	18.2	21.7	28.4	36.6
Costa Rica.....	27.8	33.6	36.8	94.9	111.6	114.6	101.4	102.7	95.5
Ivory Coast.....	37.3	41.2	48.3	55.4	71.4	78.1	84.1	91.3	73.4
Ecuador.....	30.1	29.2	29.6	32.9	35.1	56.1	73.0	60.5	73.9
Jamaica.....	44.2	51.7	59.4	66.6	76.2	77.1	129.1	173.0	152.1
Mexico.....	25.3	22.1	18.8	18.7	33.3	50.2	43.5	42.7	61.8
Morocco.....	37.7	38.1	42.7	57.3	63.9	80.9	94.0	115.8	103.9
Nigeria.....	4.4	4.9	4.9	8.0	11.9	15.7	15.0	17.5	44.7
Peru.....	51.6	41.8	31.1	24.8	28.2	45.5	49.9	66.1	45.0
Philippines.....	17.8	17.4	18.5	19.8	22.7	31.1	36.8	42.7	65.8
Uruguay.....	15.8	12.8	70.7	73.0	100.9	170.3	184.8	202.4	173.3
Venezuela.....	17.4	20.1	18.0	17.1	18.4	21.2	37.7	36.3	51.1
Yugoslavia.....	6.2	5.3	6.3	7.4	8.7	15.4	19.4	25.1	20.4
HIC's.....	17.6	16.0	17.1	18.0	23.7	34.4	37.5	41.0	45.6

Source: World Bank. World Debt Tables. 1984-85, 1985-86, and 1987-88 eds.

Growth of production

	GDP (1980-86)
Philippines.....	-1.0
Morocco.....	3.3
Bolivia.....	-3.0
Zimbabwe.....	2.6
Nigeria.....	-3.2
Cote D'Ivoire.....	-0.3
Peru.....	-0.4
Ecuador.....	1.8
Colombia.....	2.4
Chile.....	0.0
Brazil.....	2.7
Mexico.....	0.4
Uruguay.....	-2.6
Yugoslavia.....	1.2
Argentina.....	-0.8
Venezuela.....	-0.9

Source: World Development Report 1988.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. SWINDALL].

Mr. SWINDALL. Mr. Speaker, I rise in strong opposition to the amendment for a number of reasons.

First of all, we have heard a great deal of debate here about our responsibility to the world. Missing from that debate is our responsibility to the American taxpayers.

The gentleman from Indiana makes a very good point. We are obligating here \$14 billion. That is important when you look at the next point that is made so frequently, and that is we have significant influence in terms of the World Bank. Nothing could be further from the truth.

The truth is that we vetoed or abstained from more than 70 loan applications, and every single one of those loan applications was subsequently approved over our veto or abstention.

Why is that important? Because of the third point. If you look at those loans, you will find that 13 loans were made to Ethiopia.

Why is that important? Ethiopia has a Government-sanctioned policy of human rights violations that includes murder. How can we be consistent with the policy that the House has taken vis-a-vis South Africa, where we say we will divest because of the far left, I think, significant human rights violations, and that is apartheid, and without in any way condoning apart-

heid, it certainly is nowhere near as violent as forced starvation, and yet here we are divesting from South Africa at the same time that we are subsidizing a government that kills people.

Read the Reader's Digest. Read virtually any of the information we have about what is going on in Ethiopia today, and do not turn your face from this. We are subsidizing them. When you make an injection of \$14 billion and then turn around and watch what that Government is doing, you are subsidizing the forced starvation and massacre of millions of people.

How can we in good conscience do that? The answer is that we cannot. Vote against the amendment.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield the remainder of our time to the gentleman from Minnesota [Mr. FRENZEL].

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 1 minute.

Mr. FRENZEL. Mr. Speaker, I do not know where the \$14 billion figure came from. Neither of the previous speakers that mentioned it indicated where it came from.

We are talking about a \$70 million authorization which is to support a capital contribution of \$420 million. That is the extent of the liability that is before the House in this motion.

The question about Ethiopia and other countries is an interesting one. They, however, borrow from the International Development Association. We are talking about the GCI, which is the regular loans. This will not be supporting loans to Ethiopia, either; so you can put those two thoughts out of your mind.

We are talking in our total foreign aid budget this year of about a half of 1 percent to progress the worthwhile programs of the World Bank. If we do not contribute, we will be with South Yemen, North Vietnam, Libya, Kampuchea, among a very tiny portion of the world which is not contributing.

Support the Obey amendment. It is very worthwhile.

Mr. HOUGHTON. Mr. Speaker, the so-called GCI or general capital increase for the World Bank should be accepted by this body. The point of my remarks is merely to reinforce the effective and more than that highly successful job the World Bank continues to do under the innovative leadership of our former colleague, Barber Conable.

I believe in the mission of the World Bank just as others before me did when it was created at Bretton Woods in 1944. I think particularly of Henry Fowler.

Its geographic focus has changed since then of course but its ongoing vitality has continued to mean a lifeline for those who without it might go under and in the process pull us with them.

This country, no matter what internal problems it tries to resolve, should never turn its back on the World Bank or its sister institution, the IMF.

Ms. PELOSI. Mr. Speaker, I rise in support of amendment 119. Chairman ST GERMAIN and Chairman FAUNTROY worked long and hard to craft the compromise on the general capital increase. I believe that they have responded to a very difficult problem in a productive and constructive manner. I would like to commend Chairman ST GERMAIN and Chairman FAUNTROY, Mr. WYLIE, and Mr. BEREUTER for their excellent work on crafting the compromise on the general capital increase.

Our participation in the World Bank allows the United States to continue its world leadership in international development policy and in seeking an overall solution to the debt crisis experienced by Third World countries.

Increased debt pressure drives these countries to exploit and deplete their natural resources, which are vital to their long-term economic stability. The authorization for the GCI includes language important to continuing our work and leadership to improve conservation efforts in these countries. The GCI language, which

focuses on the concept of sustainable development, advances a change in policy from development priorities to environmental restoration that will ensure sustainable resource use.

The Sierra Club, which is headquartered in my district of San Francisco, supports the GCI language because the loss of tropical forests and other wild living resources are global concerns. Conserving and restoring these resources should be priorities for the international community. By taking these steps now, we can maintain our role in this community to preserve natural resources that lie out of U.S. territory, but whose destruction affects all of us.

I urge my colleagues to support amendment 119.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I simply again want to repeat some facts in order to counter some of the fiction which we have heard on the floor today.

Again I repeat, what is at stake here in the World Bank is not \$14 billion. It is \$50 million, beginning with an "M", not \$14 billion.

Second, the only question with respect to the World Bank which is really at stake is whether we are going to lead the Bank or whether we are going to see the leadership in that institution pass to other nations, such as the Japanese.

I would submit that the President made the judgment, and I agree with his judgment, that it is in the national interests of the United States for the United States, rather than some other country to lead that Bank.

In answer to the gentleman from Georgia who just spoke, again I ask Members to remember: this issue is not an issue of just the World Bank. What is at issue today is whether we are going to authorize \$50 million for the World Bank and \$14 billion for the rest of the world, including \$80 million for a very seriously needed drug initiative. If we are going to do something about drug trafficking in this world, especially in this hemisphere, we need to have that money to spend in those countries to deal with that problem.

I would point out that if we are talking about protecting the taxpayer, I would simply point out that this bill is 20 percent below the levels we were spending on foreign aid in 1985. This House can take full credit for the fact that in the last 2 years we have cut billions of dollars out of the administration's foreign assistance request. We have made larger percentage cuts in foreign assistance than we have made in any other bill before this House.

□ 1430

This House can take full credit for it and so can this subcommittee. Mr. Speaker, I urge a yes vote on the

motion. It is the only way that we can responsibly fulfill our obligations.

The SPEAKER pro tempore (Mr. BRUCE). The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 303, nays 90, not voting 38, as follows:

[Roll No. 367]

YEAS—303

Ackerman	de la Garza	Hertel
Akaka	DeLay	Hiler
Alexander	Dellums	Hochbrueckner
Andrews	Derrick	Horton
Annunzio	DeWine	Houghton
Anthony	Dicks	Hoyer
Aspin	Dingell	Hughes
Atkins	DioGuardi	Hunter
AuCoin	Dixon	Hyde
Baker	Donnelly	Inhofe
Ballenger	Dorgan (ND)	Ireland
Bartlett	Dornan (CA)	Jeffords
Bateman	Downey	Johnson (CT)
Bates	Durbin	Johnson (SD)
Beilenson	Dwyer	Jones (NC)
Bentley	Dymally	Jontz
Bereuter	Dyson	Kanjorski
Berman	Edwards (CA)	Kaptur
Bevill	Edwards (OK)	Kastenmeier
Billbray	Erdreich	Kennedy
Bliley	Espy	Kennelly
Boggs	Evans	Kildee
Bonior	Fascell	Kleczka
Borski	Fawell	Kostmayer
Bosco	Fazio	Kyl
Boucher	Feighan	LaFalce
Boxer	Fields	Lagomarsino
Brennan	Fish	Lancaster
Broomfield	Flake	Lantos
Brown (CA)	Florio	Latta
Bruce	Foglietta	Leach (IA)
Bryant	Foley	Leath (TX)
Bunning	Ford (MI)	Lehman (CA)
Burton	Frank	Lehman (FL)
Bustamante	Frenzel	Leland
Byron	Frost	Lent
Callahan	Galleghy	Levin (MI)
Campbell	Gallo	Levine (CA)
Cardin	Garcia	Lewis (CA)
Carper	Gejdenson	Lewis (FL)
Carr	Gephardt	Lewis (GA)
Chandler	Gibbons	Lipinski
Chapman	Gilman	Lowery (CA)
Chappell	Glickman	Lowry (WA)
Cheney	Gonzalez	Luken, Thomas
Clarke	Goodling	Lungren
Clay	Gordon	Madigan
Clement	Gradison	Manton
Clinger	Grandy	Markey
Coats	Grant	Martin (NY)
Coble	Gray (IL)	Martinez
Coelho	Gray (PA)	Matsui
Coleman (TX)	Green	Mavroules
Collins	Guarini	Mazzoli
Conte	Gunderson	McCloskey
Conyers	Hall (OH)	McCollum
Cooper	Hall (TX)	McCrery
Costello	Hamilton	McDade
Coughlin	Harris	McEwen
Courter	Hastert	McGrath
Coyne	Hatcher	McHugh
Crockett	Hawkins	McMillan (NC)
Darden	Hayes (IL)	McMillan (MD)
Daub	Hefley	Meyers
Davis (MI)	Henry	Mfume

Mica
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Moakley
Mollinari
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrázek
Murtha
Natcher
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Panetta
Parris
Pashayan
Patterson
Payne
Penny
Pepper
Pickett
Pickle
Porter
Price
Pursell
Quillen

Rangel
Ravenel
Regula
Richardson
Ridge
Rinaldo
Robinson
Rodino
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Sabó
Saiki
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schroeder
Schuette
Schumer
Sharp
Shaw
Shays
Sisisky
Skeen
Skellton
Slattery
Slaughter (NY)
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe

Solarz
Spence
Spratt
St. Germain
Stenholm
Stokes
Stratton
Studds
Swift
Synar
Tauke
Thomas (CA)
Thomas (GA)
Torres
Towns
Traxler
Udall
Upton
Vander Jagt
Vento
Visclosky
Walgren
Watkins
Waxman
Weber
Weiss
Wheat
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates

NAYS—90

Anderson	Hopkins	Russo
Applegate	Hubbard	Schulze
Archer	Hutto	Sensenbrenner
Armey	Jacobs	Shumway
Badham	Jenkins	Shuster
Barnard	Kasich	Slaughter (VA)
Barton	Kolter	Smith (NE)
Bennett	Lightfoot	Smith, Denny
Billakis	Livingston	(OR)
Brown (CO)	Lloyd	Smith, Robert
Coleman (MO)	Lott	(NH)
Combest	Lukens, Donald	Smith, Robert
Craig	Marlenee	(OR)
Crane	Martin (IL)	Solomon
Dannemeyer	Mollohan	Staggers
Davis (IL)	Montgomery	Stallings
DeFazio	Moorhead	Stangeland
Dickinson	Murphy	Stump
Dreier	Myers	Swindall
Early	Neal	Tallon
Eckart	Nichols	Tauzin
Emerson	Nielson	Taylor
English	Packard	Trafficant
Gaydos	Pease	Valentine
Gekas	Perkins	Volkmer
Gingrich	Petri	Whittaker
Hammerschmidt	Rahall	Whitten
Hansen	Ray	Yatron
Hefner	Roberts	Young (AK)
Herger	Rogers	Young (FL)
Holloway	Roth	

NOT VOTING—38

Boehlert	Kemp	Ritter
Boland	Kolbe	Roe
Bonker	Konnyu	Schneider
Boulter	Lujan	Sikorski
Brooks	Mack	Skaggs
Buechner	MacKay	Smith (FL)
Dowdy	McCandless	Sundquist
Flippo	McCurdy	Sweeney
Ford (TN)	Mineta	Torricelli
Gregg	Nagle	Vucanovich
Hayes (LA)	Nelson	Walker
Huckaby	Pelosi	Weldon
Jones (TN)	Rhodes	

□ 1451

The Clerk announced the following pair:

On this vote:

Mr. Mineta for, with Mr. Boulter against.

Mr. STALLINGS and Mr. NEAL changed their vote from "yea" to "nay."

Messrs. DAVIS of Michigan, WEBER, HUNTER, BURTON of Indiana, HALL of Texas, and FIELDS changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL EQUITABLE PAY PRACTICES ACT OF 1988

The SPEAKER pro tempore (Mr. BRUCE). Pursuant to House Resolution 537 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 387.

□ 1453

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 387) to promote equitable pay practices and to eliminate discrimination within the Federal civil service, with Mr. KILDEE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee of the Whole rose on Wednesday, September 28, 1988, section 4 was open to amendment at any point.

Are there further amendments to section 4?

The Clerk will designate section 5.

The text of section 5 is as follows:
SEC. 5. CONSULTANT.

(a) LIST OF QUALIFIED CONSULTANTS.—The Comptroller General of the United States shall prepare and, as soon as practicable after the Commission is established, submit to the Commission a list of at least 5 consultants which, on the basis of their impartiality, expertise, and experience, the Comptroller General considers appropriate to conduct the study under this Act. Selections under this subsection shall be made in accordance with the laws and regulations governing procurements by agencies generally.

(b) FINAL SELECTION.—The selection of a consultant to conduct the study under this Act shall be made by the Commission from among the consultants included on the list prepared under subsection (a).

AMENDMENT OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ARMEY: Page 10, line 24, strike "5" and insert in lieu thereof "10".

Page 11, strike lines 5 through 8 and insert in lieu thereof the following:

(b) FINAL SELECTIONS.—The Commission shall select, from among the consultants included on the list prepared under subsection (a), at least 3 consultants to conduct the study under this Act. The functions of the consultants under this Act shall be performed by such consultants acting jointly.

Page 11, line 12, strike "consultant" and insert in lieu thereof "consultants".

Page 12, line 10, strike "consultant" and insert in lieu thereof "consultants".

Page 12, line 15, strike "ANT'S" and insert in lieu thereof "ANTS".

Page 12, line 17, strike "consultant, pursuant to its" and insert in lieu thereof "consultants, pursuant to their".

Page 14, line 15, strike "consultant's" and insert in lieu thereof "consultants'".

Mr. ARMEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ARMEY. Mr. Chairman, this is a relatively simple amendment. The amendment requires that the Commission select the consultant or consultants by which the study will be conducted rather than as the bill required having the Commission look at a population of 5 consultants and choosing from that population one singular consultant, we asked that the Commission look at a population of 10 consultants and choose from that population 3, to actually conduct a study.

Now, Mr. Chairman, the legislation is very precise in what kind of study is desired. That is a study that will first do job content analysis on those jobs that had been selected and identified to be historically dominated by one gender or one race and make comparisons among these jobs.

There is, of course, nothing scientific about the comparison of these alternative jobs and the effort to determine the comparable worth to society at large of these jobs. As a matter of fact the subjectivity of job content analysis is well documented.

In Minnesota, Iowa, Vermont, and Washington, for example, where they tried such studies, we have seen conflict. In Washington and in Iowa, secretaries were ranked above laundry workers and data entry operators, and in Minnesota and Vermont laundry workers and data entry operators were ranked above secretaries. Among these, data entry were ranked first in Minnesota but third in Iowa. In Vermont and Washington, data entry operators were ranked second. Photographers were valued more than twice as highly in Vermont as in Iowa and photographers in Minnesota were valued 25 percent more highly than in Iowa. In Minnesota, librarians were valued 30 percent more highly than in Vermont. In Vermont, librarians were valued 20 percent more highly than Iowa. It is all complex.

Mr. Chairman, I am not going to belabor all of these inconsistencies. The point is made. The fact of the matter is I have always known that whatever job I am doing is more valuable to the community at large than whatever job

anyone I know is doing, and every person I know knows the same. In fact, some of my friends are so misguided they think the job they are doing is more valuable than the job I am doing, and that is called subjectivity. The comparable work of different jobs will always be in the eyes of the beholder. Nevertheless, in this bill after this process of expressing subjective evaluation of the worth of alternative jobs, there must be a job content analysis.

There is then a second kind of study being asked for that is known under the euphemism "economic study". I have studied economics all my life and I do not know a reputable economist that would produce such an "economic study," then, suggests that once the subjective determination has been made, that people in occupations A, that is historically staffed by women, are doing work of comparable value to those people in occupations B historically staffed by men. They then evaluate that pay differential between the two occupations.

Now the long and short of that pay differential evaluation is that as they identify the "legitimate variables by which the pay differential may be explained," and then sort out, I suppose, with multiple regression analysis if in fact they are doing an economical analysis, I would expect that to be the methodology employed. What they did with a statistical data base, you could explain some of the wage differentials as you move along.

□ 1506

But obviously your power to explain would be only as complete as the number and the power of the variables that you are able to put in your model. Nobody, nobody who has tried to do this kind of study has ever contended that they could come up with a model that was so complete that it would have explained every bit of the variation of the salary.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. I think I have made the point. The fact of the matter is there is no way you can have a professional study here. Everybody understands that. The concept is simply not a concept that will accommodate to any degree of professionalism in the process and the people who do this and make a living doing it, understand the failures, and that is all right. As one of our experts said, this is acceptable as long as it is voluntary and part of the process. Another one has pointed out that as much as 40 percent of the differential cannot be explained by even the best models.

The problem that we have is there is a predilection in this legislation that

says any unexplained differential must be discrimination. That would be like my saying any time that I suffer a deficiency in the vote count on a vote here that I cannot explain with some quasi-subjective model that I produced from my unbiased point of view as a minority Member, that that residual that is not explained by that model must necessarily be, then, blatant, mean-spirited politics.

Therefore, we must carry some kind of corrective measure in here to protect me from the mean-spirited politics that must be part of every vote because I so often lose the votes.

Now if I were to suggest such a thing in this body you would quite rightly call me curious at best and cranky at worst and ask me to go home and do my homework over again. Quite frankly, there is not enough homework that can be done to get this kind of procedure called for in this law to come anywhere near anything that can be responsibly called science or objectivity by any scholar, any place in the Nation that values their reputation.

With that, I would suggest if we are going to have a subjective process, let us have a larger population of subjective evaluators from which we can choose the three subjective evaluators to do the "study" and hopefully at least the process could benefit from a lively debate among the people who do the study and perhaps in that process you can sift some wheat from the chaff.

I thank the gentleman for yielding.

Mr. BURTON of Indiana. I thank the gentleman for his comments. I support the gentleman's amendment. I would just like to say that this study, as we have said before, is a biased study and it will lead to a comparable worth program for the people in the Federal Government. But that is just the tip of the iceberg. The goal is to have a comparable worth approach to the private sector as well, so that all jobs are equated one with another. It is going to cause all kinds of problems in the courts. We are going to have all kinds of bureaucrats, a huge bureaucracy created with this. The proponents of the bill know that.

I would just like to ask a rhetorical question and that is: Are we going to get to the point where we are going to be comparing basketball players like Larry Bird with Congressmen? He makes \$2 or \$3 million a year as I understand it. A lot of people in this body would say he should not make more than we do. But then there are others who say we should make a lot less because we waste a lot of time.

The fact of the matter is this is a very subjective study that you are proposing and you intend fully to take it beyond the Federal Government and out into the private sector. And everybody in the Chamber ought to be aware of that.

This is just the beginning; you are just getting the camel's nose under the tent. If you have your way with this, we are going to face a socialization of the workplace, I think, nationwide. I think that is the ultimate objective of the proponents of this bill.

Mr. ACKERMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would just like to remind the gentleman that Larry Bird works at least 15 minutes per quarter.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am really amazed at the arguments that have been put forth for this amendment by those who have been on the floor for the past several days opposing studies and their cost.

This amendment, by tripling the number of consultants would basically triple the cost of the bill.

The committee believes that the Comptroller General, after preparing extensive and analytical materials on pay equity discrimination studies for Congress is highly qualified to make recommendations to the Commission.

I believe that one consultant is sufficient to perform the study and I urge my colleagues to oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device; and there were—ayes 111, noes 285, not voting 35, as follows:

[Roll No. 368]

AYES—111

Archer	Emerson	Livingston
Armey	Fawell	Lowery (CA)
Badham	Fields	Lukens, Donald
Baker	Gallely	Lungren
Ballenger	Gallo	Madigan
Bartlett	Gekas	Marlenee
Barton	Gingrich	Martin (IL)
Bentley	Goodling	McCollum
Bereuter	Gradison	McCrery
Billey	Grandy	McEwen
Broomfield	Hansen	McMillan (NC)
Brown (CO)	Hastert	Michel
Bunning	Hefley	Miller (WA)
Burton	Henry	Molinar
Callahan	Herger	Moorhead
Chandler	Hiler	Nielson
Cheney	Holloway	Oxley
Coats	Houghton	Packard
Coble	Hunter	Parris
Combest	Hyde	Pashayan
Courter	Inhofe	Porter
Craig	Ireland	Quillen
Crane	Jacobs	Roberts
Dannemeyer	Johnson (CT)	Rogers
Daub	Kasich	Schaefer
Davis (IL)	Konnyu	Scheuer
DeLay	Kyl	Schuetz
DeWine	Lagomarsino	Schulze
Dickinson	Latta	Shaw
DioGuardi	Lent	Shumway
Dorman (CA)	Lewis (CA)	Shuster
Dreier	Lightfoot	Skinner

Slaughter (VA)
Smith (TX)
Smith, Denny
(OR)
Smith, Robert
(NH)

Smith, Robert
(OR)
Stangeland
Stump
Swindall
Taylor

Thomas (CA)
Upton
Vander Jagt
Weber
Whittaker
Wortley

NOES—285

Ackerman
Akaka
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bateman
Bates
Beilenson
Bennett
Berman
Bevill
Bilbray
Bilirakis
Boehlert
Boggs
Bonior
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clay
Clement
Clinger
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conte
Conyers
Cooper
Costello
Coughlin
Coyne
Crockett
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Frenzel

Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Hopkins
Hoyer
Hubbard
Hughes
Hutto
Jeffords
Jenkins
Johnson (SD)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Lujan
Luken, Thomas
Manton
Markay
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDade
McHugh
McMillen (MD)
Meyers
Mfume
Mica
Miller (CA)
Miller (OH)
Moakley
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek

Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Payne
Pease
Pelosi
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Price
Pursell
Rahall
Rangel
Ravenel
Ray
Regula
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Sakik
Savage
Sawyer
Saxton
Schroeder
Schumer
Sensenbrenner
Sharp
Shays
Sisisky
Skellton
Slattery
Slaughter (NY)
Smith (IA)
Smith (NE)
Smith (NJ)
Snowe
Solarez
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Swift
Synar
Tallon
Tauke
Tausz
Thomas (GA)
Torres
Torricelli
Towns
Traficant

Traxler	Watkins	Wolf
Udall	Waxman	Wolpe
Valentine	Weiss	Wyden
Vento	Wheat	Wyllie
Visclosky	Whitten	Yates
Volkmer	Williams	Yatron
Walgren	Wilson	Young (AK)
Walker	Wise	Young (FL)

NOT VOTING—35

Alexander	Horton	Nagle
Boland	Huckaby	Rhodes
Bonker	Jones (TN)	Ritter
Boulter	Kemp	Schneider
Bryant	Kolbe	Sikorski
Buechner	Lott	Skaggs
Dowdy	Mack	Smith (FL)
Flippo	MacKay	Sundquist
Ford (TN)	McCandless	Sweeney
Frank	McCurdy	Vucanovich
Frost	McGrath	Weldon
Gregg	Mineta	

□ 1527

The Clerk announced the following pair:

In this vote:

Mr. Boulter for, with Mr. Mineta against. Messrs. SENSENBRENNER, MARTINEZ, and BERMAN changed their vote from "aye" to "no."

Mr. LATTA and Mr. COMBEST changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. JEFFORDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in strong support of this legislation. The House has approved similar legislation by overwhelming margins in each of the past two Congresses.

H.R. 387 would simply call for a study of the Federal wage structure to determine if discrimination based on sex, race, or ethnic origin exists in the system. We already know that there are major differences between pay for male and female civil servants. On average, women working for the Federal Government are earning \$11,000 less than men. A 1985 Government Accounting Office study found that black women working in the Federal civil service earned only 62 percent of what men earned.

Given these facts, it is totally appropriate to take steps beyond mere calculation of the wage differences. We need to assess the underlying factors that have caused the differences. Without further study, we can only guess at the causes.

We cannot afford to turn our backs on facts that give rise to seeming inequities. H.R. 387 is straightforward enough, it would simply collect the data that we need to make informed decisions about the Federal wage structure. I urge my colleagues to support passage of this legislation.

Mrs. COLLINS. Mr. Chairman, I move to stike the last word.

Mr. Chairman, I rise in support of the legislation.

Mr. Chairman, I stand before you today to express my strong support for

H.R. 387, the Federal Equitable Pay Practices Act. This measure would provide for a study to determine whether and to what extent, pay and job classification in the Federal sector are affected by race, sex, and/or ethnicity. The study called for in H.R. 387 would look at those occupations where women and minorities are concentrated and access whether there is any relationship between the Federal classification and compensation system and the low wages paid for work performed by women and minorities. If any of those factors play a role in setting pay or establishing job classification, not only is it wrong, but it is also illegal and must be changed.

It is utterly outrageous that almost 25 years after passage of the Civil Rights Act, we must come to the floor and implore the House of Representatives to merely commission a study of race- and sex-based discrimination in the Federal work force. I don't know what upsets me more: the fact that the statistics on employment in the Federal Government are so grim or that the House refuses to acknowledge that the distribution and salaries of minorities and women employed in the Federal sector are in all likelihood sex- or race-based, or both. The facts are these:

While women represents 45 percent of the work force, they make only 65-68 cents for every dollar that men make.

Of the 2 million workers employed by the Federal Government, 40 percent are women. Yet, female workers are concentrated in the lowest eight grades while men are concentrated in the top five grades. As a result of past and present male-dominated classification and hierarchy, women in the Federal sector earn on the average approximately \$12,000 less per year than their male colleagues.

In its 65 years of existence, the Federal pay and classification system has never been examined for unfair bias.

Clearly, at the very least, the Federal Government is not the role model it should be in setting an example for the Nation when it comes to equal employment rights or for equal pay for equal work. The Federal Government is a reluctant, recalcitrant, foot-dragger which lags far, far behind the States. I am very proud to say that my home State of Illinois is one of 20 States that has made adjustments in pay to correct pay inequity. Action on pay equity has been taken in 42 other States either through studies, collective bargaining with State employees, or in litigation, but we are just today struggling with whether there should be a commission to look into the matter. And you and I know what that means: It means there will probably be the passing of another three or four years before any real action in the

form of equity in Government will be realized.

Pay equity is not a fad, and it will not just go away. On this matter, we have been dragging our feet since 1982, in the 97th Congress, when our distinguished colleague from Ohio, MARY ROSE OAKAR, brought this issue to our attention by conducting a series of hearings when she chaired the Subcommittee on Compensation and Employee Benefits.

I commend my colleague for her diligent efforts and urge this body to put the Federal Government in step with the rest of the Nation. The need has been established, the time is here, the action is today: let's leave a legacy in this 100th Congress of having begun to right the wrongs of pay inequity in our Federal pay system.

AMENDMENTS OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendments offered by Mr. BURTON of Indiana: Page 10, strike line 20 and all that follows thereafter through page 11, line 8, and insert in lieu thereof the following:

SEC. 5. METHODOLOGY.

In order to carry out the purpose set forth in section 2(a)(1), the Commission shall review all studies conducted by the Office of Personnel Management, the General Accounting Office, and the General Accounting Office (whether jointly or separately) since January 1, 1975, which compare pay scales of occupations within the Federal Government, especially those which are dominated by a particular race, sex, or ethnic group, and which analyze and attempt to explain any disparities evident in those comparisons. In addition, the Commission shall include a review of any Office of Personnel Management studies which compare Federal pay scales with free market wages, again noting any disparities.

Page 11, strike line 9 and all that follows thereafter through page 12, line 4.

The CHAIRMAN. Without objection, the amendments will be considered en bloc.

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I did not hear that statement.

The CHAIRMAN. Without objection, the amendments will be considered en bloc.

Mr. BURTON of Indiana. What amendments, Mr. Chairman?

The CHAIRMAN. There are two amendments that were read. Does the gentleman want them considered en bloc?

Mr. BURTON of Indiana. As I understand it, I have 1 amendment here, Mr. Chairman.

The CHAIRMAN. The last part of the amendment does amend the next section and as such constitutes two amendments.

Mr. BURTON of Indiana. I stand corrected, Mr. Chairman.

The CHAIRMAN. Without objection, the amendments will be considered en bloc.

There was no objection.

□ 1530

Mr. BURTON of Indiana. Mr. Chairman, for those who could not support the amendment of the gentleman from Texas which preceded this one because of the cost, I have good news for them. This one will reduce the cost.

This will reduce the costs of the study, and it should enable those Members to overcome their previous objections and support this amendment.

This amendment eliminates, Mr. Chairman, the contracting with a consultant for a study. It eliminates a mandated study based on the flawed comparable worth idea. In many hearings economic experts from State legislatures and business people have stated over and over again that comparable worth is a flawed concept.

In fact we had 30 studies, 30 studies, piled here on this desk yesterday, that I said would give me a hernia if I tried to carry them to the well, that state the same thing that I just stated.

It is well known by now that comparable worth studies conducted by different States have yielded completely different results. In one State a nurse is worth more than a chemist, but less than a social worker. In another State that same nurse is worth more than the social worker, but less than the chemist. How arbitrary can it be?

Yet we are proposing to lock in thousands of innocent employees to this study's definition of what their job is worth. Instead my amendment directs the Commission to review the studies which have already been done, over 30 studies by OPM, GAO, and CBO and independent agencies. These studies examine wages based on things we can measure like equal pay for equal work, like education, experience, seniority, and performance. They examine blue collar and white collar occupations separately, unlike this bill, because working conditions can be another factor in pay differentials.

As for any discrimination which may still exist, it cannot be proven by job content analysis. It can only be proven by real substantive differences in treatment of employees. And my colleagues know the Federal Government is sensitive to lawsuits and is continually working to eliminate that because they know that employees have recourse to the courts if they do not.

I feel this Commission can do an excellent job of assessing pay equity by using the resources at hand, like these many intensive studies, and should not rely on something as arbitrary as a comparable work study.

Mr. ACKERMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment basically eliminates the Commission's ability to conduct a study. The amendment limits the staff available to the Commission, eliminates the Commission's authority to hire a consultant, eliminates the Commission's subpoena authority and deletes the entire section on methodology.

Mr. Chairman, this amendment will not result in a study of any value. The bill is designed to determine whether there is bias built into the system. The amendment will prohibit the commission from examining the pay and classification systems, and it will restrict the Commission to reviewing studies already published which do not address the question of discrimination.

Mr. Chairman, I oppose the amendment, and I urge my colleagues to do the same.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Ohio.

Ms. OAKAR. Mr. Chairman, I thank the gentleman from New York [Mr. ACKERMAN], my chairman, for yielding.

Just very briefly the fact is, as has been mentioned, there are all the studies which were brought yesterday from 1970, and they do not address what we are trying to address.

Second, I think it is very important that we not be misled on this. This is a study relative to job content and economic analysis, and I want my colleagues, since many of them serve on the Committee on Veterans' Affairs, to understand what we are trying to do here, and the fact is that we have many, many job categories that are capped. There are over 2,000 nurses and nurses aides that we need for our veterans hospitals. They cannot get these people who are trained in this field to apply because of the artificial capping of the salaries. They can go right down the street to another hospital and make in some cases twice as much money, and so we are losing dedicated career employees to serve the veterans, among others, of this country.

So, Mr. Chairman, do not be fooled by all these buzz words relative to the language that is used relative to comparable worth. That is not the issue at all. The issue is we have not looked at the classification system in 60 or more years. It is about time that we did, and we have a shortage of certain fields, and one of the reasons we do is that we have not done an analysis to see where our needs are and to see whether or not we should upgrade some of the salaries.

Mr. Chairman, it is as simple as that.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I would just like to emphasize what

both of my colleagues have been saying. Of the 30 reports that the gentleman from Indiana [Mr. BURTON] has been talking about, none have looked at the Federal pay and classification system in the manner that we are talking here and in the manner the General Accounting Office is talking about.

Furthermore, even the Defense Department, when it has studied the pay of the Federal service versus the private service, shows that the Federal service is 26 percent behind.

So I think that any way we look at this that we are way off balance, and I would just hope that we could quickly defeat this amendment and get on to passage.

Mr. DELAY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman from Texas [Mr. DELAY] for yielding.

Mr. Chairman, the gentlewoman from Colorado [Mrs. SCHROEDER] just indicated that there has been no study on this subject. I have before me a study that was completed in September 1987 entitled "Comparable Worth for Federal Jobs."

Now this study was done by OPM, Constance Horner as a Director, and I would just like to read, if I might, her remarks at the beginning of the study. She says:

The following pages relate what we believe is a remarkable story about women and work in the federal government. This study tells of the tremendous occupational progress women in government have made and of their ability to compete and succeed in the work place. And it shows that the prognosis for the future is even more favorable.

Within this context, the report also weighs the case for imposing "comparable worth" on the federal government's personnel system. The conclusions are clear: good intentions aside, the comparable worth "solution" will not provide positive results. Far from being the key to women's success, comparable worth is likely to retard or even reverse the great strides women are making.

These observations are applicable not only to the federal government, but to all employers. The true key to women's occupational success depends on two fundamental factors: employers' guarantee of full equality of opportunity and women's own decisions concerning personal investment, career ambitions, and job preferences. Recognition of these facts promises the best future for women, their families, and the economy at large.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. Mr. Chairman, the fact of the matter is that a study was done just last year. This was one of the 30 studies I talked about yesterday, and many of them were very voluminous.

So, when the proponents of this legislation say time and again that no

studies have been conducted, they are simply misleading those who are paying attention to the debate. There have been multiple studies. The most recent one on comparable worth for Federal jobs was concluded in September 1987, and, if the gentlewoman has not seen it, I will be glad to give her a copy.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. DELAY. Mr. Chairman, I would be glad to yield to the gentlewoman from Colorado [Mrs. SCHROEDER], but we seem to be running out of time because her side keeps objecting to the requests for time. So I have to give the gentleman from Indiana [Mr. BURTON] the time that he needs to make his point.

Mr. Chairman, I will be glad to yield to the gentlewoman from Colorado [Mrs. SCHROEDER] if there is any time left.

Mr. BURTON of Indiana. Mr. Chairman, this study, which was concluded last year by OPM, was very extensive, and yet the proponents of this legislation want to spend another \$2.5 million for the 31st study which, I believe, is a waste of taxpayers' money.

Now I would like to ask a question, and I am sure that they are going to make a comment in a minute, so I would like to ask this question: Where are those funds coming from?

As I understand it, the budget for the Office of Personnel Management was reduced, and all of the funds that were appropriated for that Agency have already been spent or are already authorized for some project, so they are going to have to take \$2.5 million out of current expenditures for this study, and that means they are going to have to lay some people off which is going to cost jobs.

My colleagues say they want to help people. It is going to cost jobs in the Office of Management and Personnel over there because there are no funds available for this study.

So, I am asking: Where are my colleagues going to get that \$2.5 million unless we get an additional appropriations, which is not likely?

Mr. Chairman, the fact of the matter is my colleagues are going to take it from some other project that OPM has underway which is going to take away from what they are trying to accomplish and obviously going to take away jobs from that agency of Government. So, if my colleagues are proposing to help Federal employees in the workplace, would they explain why they are going to take away some jobs from OPM?

Mr. DELAY. Mr. Chairman, I now yield to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, let me just say that I guess the gentleman from Indiana [Mr. BURTON] has admitted that the other 29 studies

were not on the point. Let me now direct myself to the 1 out of the 30 that he mentioned that he says did not cover it.

The gentleman from Indiana [Mr. BURTON] has obviously missed the conclusions. OPM said in its conclusion that there are more women in professional positions; we agree with that, in the Federal Government, but it also said that women still get paid on the average in the Federal Government only 69 cents for every dollar earned by men. Mr. Chairman, that is not our definition of "pay equity."

Furthermore, Mr. Chairman, I would like to put in the RECORD, which answers this perfectly, the letter from GAO which ends up in summary saying that OPM's report, which the gentleman is citing, does not provide comprehensive assessment of pay equity as an issue or satisfy the objectives of what this Congress is trying to do in this bill. It does not adequately address if there are pay differentials among Federal jobs in which work involves equivalent skills, efforts, or responsibilities—

Mr. DELAY. Mr. Chairman, reclaiming my time—

Mrs. SCHROEDER. Government Accounting Office, and that—

The CHAIRMAN. The time of the gentleman from Texas [Mr. DELAY] has expired.

Mr. ARMEY. Mr. Chairman, I rise in support of the amendment.

I yield to the gentleman from Indiana [Mr. BURTON], my friend.

Mr. BURTON of Indiana. Mr. Chairman, just briefly I would just like to say that it is a matter of conjecture whether or not this study meets the test of a competent study. The folks who are proponents of this legislation and want to spend \$2.5 million on yet another study say that it is not worth the paper it is written on. Those of us who looked at it believe it is a comprehensive study and is worth—has merit, and so for that reason I think that the new study is a waste of taxpayers' money.

We have gone over this again and again and again for 30 times. This is a good study.

A moment ago the gentlewoman from Colorado [Mrs. SCHROEDER] said there was no study, current study that covered this. We proved that there was. Now she is trying to denigrate the study. The fact of the matter is that it is a good one, and we should live by it.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. ARMEY. If the gentlewoman will do so quickly so that I can have some of my own time.

Ms. OAKAR. Mr. Chairman, will the gentleman from Indiana [Mr. BURTON] repeat the title of the study?

Mr. BURTON of Indiana. The title of the study is "Comparable Worth for Federal Jobs."

Ms. OAKAR. Mr. Chairman, I thought the gentleman from Indiana said he was not for comparable worth studies.

I thank the gentleman from Texas [Mr. ARMEY] for yielding.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I am not for an additional study on comparable worth. It is a waste of taxpayers' dollars. At the behest of many of the folks on that side of the aisle this study was completed last year. It has been done. We do not need to do it again.

I thank the gentleman from Texas [Mr. ARMEY] for yielding.

□ 1545

Mr. ARMEY. Mr. Chairman, I would like to kind of go back to base one for a moment. If there is discrimination against individual Americans, either within or outside the official actions of the Federal Government, it is not acceptable behavior. We have laws on the books that prohibit such behavior. I, for one, believe those laws should be fully enforced.

On the other hand, I do not accept that in lieu of dedicating our energy and our resources to the full enforcement of the laws that protect the rights of individual American citizens that we should divert our attention and our resources and our political and legislative energies to an alternative that may in fact do nothing to help them and could possibly make it worse, and to do so by making a Federal case out of one statistic is particularly difficult for me to accept.

Now, I continue to hear the infamous 69 percent of male earnings figures cited, but the fact of the matter is there has been ample study and there has been ample testimony that is totally disregarded here that explains that as you account for the different behavioral patterns among men and among women by virtue of their free and voluntary choices that this 69-percent pay differential is explained, not in terms of discrimination against these individuals, but in terms of their free exercise of their rights to make those choices with respect to occupations that best fit them and their families' needs.

I know that is hard for people to understand. It is often hard for me to understand why seemingly intelligent and responsible people will make choices different than what I would make if I were them, but that is what makes us different as individuals.

Now, the fact of the matter is if you take the 69-percent pay differential and if you account for the differences in the number of hours worked, the differential is substantially reduced,

because men tend to work more hours on the job than women do, freely and voluntarily. If you make a comparison between married women and married men, aside from single women and single men, you account for more of the differential and it continues to be reduced.

If you take into consideration age, again the differential between young men and women is not as high as that between older men and women. If you take into consideration numbers of months of uninterrupted work, again women more often than men freely and voluntarily take absences.

So I would love to see us go forward with this debate, but I would hate to see that we predicate such a debate on something as superficial as this 69-percent pay differential. It just simply is not something that we should make a Federal case of.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

I just want to quickly respond. I do not know where the gentleman gets these wild notions about men working longer hours than women, women not being as dedicated to the job, the age differential. This indicates the absolute need for a study of this nature so that we can see what is happening in the Federal work force.

Mr. ARMEY. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. For a moment, I yield to the gentleman from Texas.

Mr. ARMEY. I get these figures from a study called "Male and Female Differences in Work Experience, Occupation and Earnings," August 1987, from the Bureau of Census, Dr. June O'Neal; also in a study called "Comparable Worth Issues for the Eighties," a consultant for the U.S. Commission on Civil Rights. These are from official studies.

Mrs. MORELLA. Then that shows there is a need for a real study to be done with a consultant and with people on a Commission that have some expertise who will truly objectively look into this situation.

As a matter of fact, we keep talking about, as we did yesterday, maybe it was the day before, because this seems to be dragging on so long, we did talk about the distinction between a pay equity study and comparable worth and the fact that we are talking only about the Federal work force and the fact that there has been no job classification as such since 1925; so it is time to move on with this bill, which has been before this body before I was elected, to just vote it up or down on its merits, and I think it is meritorious, and not to come along with these delaying tactics of dilatory amendments being offered.

Mr. ARMEY. Mr. Chairman, will the gentlewoman please yield?

Mrs. MORELLA. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I appreciate the gentlewoman yielding to me.

I have to say quite frankly that I do not relish being here today in this discussion any more than does the gentlewoman. I would like to be home with my wife, quite frankly; but nevertheless, the thing that bothers me, if the gentlewoman will continue to yield, maybe I will try another tack.

If we are going to have objective public choice analysis on the basis of which we make public policy, we must be willing to take a data base that is objective, that is scientific. Certainly the Bureau of the Census should have some credibility, and at least acknowledge that these sources of information are valuable to us. If we cannot accept the Bureau of Census testimony, how then will we be able to redistrict this United States to draw new congressional districts and come back to work after 1990? Certainly the Bureau of Census must be of some value by way of providing some data base by which we can make decisions.

If on the other hand the only data base that we can find acceptable are the ones that support the conclusions to which we are driving, then of course the thing to do would be to go out and manufacture your own data base from the beginning, disregarding the Bureau of Census, and save the taxpayer all that money.

I thank the gentlewoman for yielding.

Mrs. MORELLA. Mr. Chairman, I think the gentleman's argument is specious at best and faulty in reality. We need to look at the complete data base of the Federal Government.

Mr. BILIRAKIS. Mr. Chairman, I move to strike the requisite number of words.

Hitchhiking upon that, Mr. Chairman, I would ask the gentlewoman from Maryland, what is wrong with this study as against what the gentlewoman is now a proponent of? The reason I would ask that is because a couple years ago when we addressed this particular issue, I supported it because I feel very strongly, I have felt all along very strongly, that there are adequate laws on the books to take care of these problems and that a study would help to determine whether there are in fact adequate laws and whether some of them need to be improved or strengthened or whatever the case may be.

Now I find out, and frankly I was not aware of it, that there has been a comparable worth study conducted, and it is called "Comparable Worth," as a matter of fact, even though up to now we supposedly have talked about pay equity and we do not want to use those words.

So I would ask the gentlewoman, what is the distinction and what is wrong with it?

Mrs. MORELLA. Mr. Chairman, if the gentleman will yield, first of all, I want to clarify that comparable worth is different from pay equity. We are not comparing with jobs in the private sector. We are not comparing the statistics of other jobs.

We other looking at classifications, and this has not formally been done. I scanned that book, too, and it is kind of a little synopsis of some categories, but it is not a thorough analysis that was done, including minorities and ethnics.

What this simply would do is say we get a good consultant, that the Commission looks at it, they do a study.

The job classification has not truly been reviewed in a thorough fashion, in an objective fashion, really since 1925.

As we mentioned earlier in our statements, at that time 5 percent of the work force were women. We know now they comprise like 49 percent of the work force.

We also know that they are in the lowest categories, that is grades 1 through 6.

Now, does that not say to us that it is time for us as the people who care about those who make Government run, namely, our Federal employees, that we take a look at it once and for all? It obviously is a topic that all of you cared about, and I am glad the gentleman voted for it before and I hope the gentleman will again, because it is not comparable worth. It would be a thorough study and it would be advisory in nature. I see no problem with it. I think it is very simple.

Mr. BILIRAKIS. I admire and respect the gentlewoman greatly, as she knows, but first of all, we talked about a comprehensive study and then we leave out the congressional employees and the congressional staffs. If we are getting any complaints, frankly, it is from those people and not so very much, I do not think, from the rest of the Government classifications and what not.

Mrs. MORELLA. We are hoping that another bill will come to the floor that will do that.

Mr. BILIRAKIS. I understand there may be another bill.

Mrs. MORELLA. We do not have jurisdiction over the Congress in those committees.

Mr. BILIRAKIS. I would ask the gentlewoman, and afterwards if I have any time remaining I will be glad to yield to the gentlewoman to explain to me that there will be additional legislation coming on, and I wonder how much more legislation we have ahead of us as far as this matter is concerned.

I would ask, what if a study were to come back under the provisions of this piece of legislation and the gentlewoman is not completely satisfied with that study, are we then going to throw up our hands and say that everything is equal and there is no problem with comparable worth, or are we just going to ask for an additional piece of legislation in addition to the study.

Mrs. MORELLA. If the gentleman will yield further, no, no. You see, the beauty of this is that a study will be done. We will know the situation once and for all, but it is advisory. That is what makes it so simple and so appropriate at this time. It is strictly advisory. We look at it. It goes to the President. The President sends it to Congress and then Congress in its wisdom makes a determination about whether there is need for any change. It goes through the whole legislative process. So it is really advisory so that we know where we are.

Mr. BILIRAKIS. And the gentlewoman would say that Congress does not have enough wisdom or there is not enough wisdom in this particular study here for us to make a decision whether or not there is adequate pay equity in the Federal Government?

Mrs. MORELLA. Yes, that is what I am saying.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. BILIRAKIS. I yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, I always appreciated the fact that the gentleman voted for the study the last time and I wanted to just take a minute to explain a few things.

We just saw a wonderful launch of NASA today. Many Federal employees are responsible, as the gentleman will agree, for the success of that launch and we are proud of it.

NASA has come in with the recommendation of the OPM to change the wage scales of many of their employees, so they take one agency and change those wage scales.

The CHAIRMAN. The time of the gentleman from Florida has expired.

(At the request of Ms. OAKAR, and by unanimous consent, Mr. BILIRAKIS was allowed to proceed for 30 additional seconds.)

Mr. BILIRAKIS. Mr. Chairman, I yield to the gentlewoman from Ohio.

Ms. OAKAR. We have another situation, Mr. Chairman, where OPM arbitrarily changed the wages of certain people who are Federal employees who work in Washington, DC; not Baltimore, not Boston, not Cleveland, not the gentleman's area in Florida or other areas, just those employees. They do it piecemeal.

The fact is at the whim or pressure of various agencies, that is what has happened. What we really need to do is take a comprehensive look at where

we are. We have never done that. That is why we have a shortage of nurses.

It is not necessarily that concept. That study only addresses the upper echelon of women who are in the Federal work force. It does not address why we have a shortage of nurses, secretaries, and others.

□ 1600

That is the problem that we are doing it piecemeal and we are not doing it comprehensively. As a result, it is very, very faulty.

The CHAIRMAN. The time of the gentleman from Florida [Mr. BILIRAKIS] has again expired.

(By unanimous consent, Mr. BILIRAKIS was allowed to proceed for 30 additional seconds.)

Mr. BILIRAKIS. Mr. Chairman, I would say to the gentlewoman that we all know that the pay scales for nurses are inadequate. We all know that. All we have to do is go, as I did, to Denver a few days ago and walk into the military hospitals and into the veterans' hospitals and see where the problem might lie. I do not know that we necessarily need a study.

Having worked in the aerospace industry as an engineer long before even dreaming of going to Congress, I would say that there may be some merit to that particular agency possibly determining what is best for their employees in terms of pay as against maybe another agency in the Federal Government. There may be some merit there. I should think we would take that into consideration.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. BILIRAKIS. I am happy to yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, we are not just talking about engineers though.

Mr. BILIRAKIS. I appreciate that.

Ms. OAKAR. We are talking about clerks; we are talking about people who are mechanics and so on.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Indiana [Mr. BURTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 106, noes 289, not voting 36, as follows:

[Roll No. 369]

AYES—106

Archer	Bliley	Coughlin
Armey	Bunning	Courter
Badham	Burton	Craig
Baker	Callahan	Crane
Ballenger	Chandler	Dannemeyer
Bartlett	Cheney	Daub
Barton	Coats	DeLay
Bentley	Coble	Dickinson
Bilirakis	Combest	DioGuardi

Dreier	Leach (IA)	Shumway
Edwards (OK)	Lewis (CA)	Shuster
Emerson	Lewis (FL)	Skeen
Fields	Lightfoot	Slaughter (VA)
Gallegly	Lowery (CA)	Smith (TX)
Gallo	Lujan	Smith, Denny
Gekas	Lukens, Donald	(OR)
Gingrich	Lungren	Smith, Robert
Gradison	Marlenee	(NH)
Grandy	Martin (IL)	Smith, Robert
Hall (TX)	McCollum	(OR)
Hammerschmidt	McCrery	Solomon
Hansen	McMillan (NC)	Spence
Hastert	Miller (OH)	Stangeland
Hefley	Miller (WA)	Stenholm
Herger	Moorhead	Stump
Hiler	Myers	Swindall
Holloway	Nielson	Tauke
Hopkins	Oxley	Taylor
Houghton	Packard	Upton
Hunter	Quillen	Vander Jagt
Hutto	Regula	Walker
Inhofe	Rogers	Weber
Ireland	Roth	Wilson
Kasich	Saxton	Wortley
Konnyu	Schulze	Young (FL)
Kyl	Sensenbrenner	
Latta	Shaw	

NOES—289

Ackerman	Dorgan (ND)	Kastenmeier
Akaka	Dornan (CA)	Kennedy
Alexander	Downey	Kennelly
Anderson	Durbin	Kildee
Andrews	Dwyer	Klecza
Annunzio	Dymally	Kolter
Anthony	Dyson	Kostmayer
Applegate	Early	LaFalce
Aspin	Eckart	Lagomarsino
Atkins	Edwards (CA)	Lancaster
AuCoin	English	Lantos
Barnard	Erdreich	Leath (TX)
Bateman	Espy	Lehman (CA)
Bates	Evans	Lehman (FL)
Beilenson	Fascell	Leland
Bennett	Fawell	Lent
Bereuter	Fazio	Levin (MI)
Berman	Feighan	Levine (CA)
Bevill	Fish	Lewis (GA)
Bilbray	Flake	Lipinski
Boehlert	Florio	Livingston
Boggs	Foglietta	Lloyd
Bonior	Foley	Lowry (WA)
Borski	Ford (MI)	Lukens, Thomas
Bosco	Frank	Madigan
Boucher	Garcia	Manton
Boxer	Gaydos	Markey
Brennan	Gejdenson	Martin (NY)
Brooks	Gephardt	Martinez
Broomfield	Gibbons	Matsui
Brown (CA)	Gilman	Mavroules
Brown (CO)	Glickman	Mazzoli
Bruce	Gonzalez	McCloskey
Bustamante	Goodling	McCurdy
Byron	Gordon	McDade
Campbell	Grant	McEwen
Cardin	Gray (IL)	McGrath
Carper	Gray (PA)	McHugh
Carr	Green	McMillen (MD)
Chapman	Guarini	Meyers
Chappell	Gunderson	Mfume
Clarke	Hall (OH)	Mica
Clay	Hamilton	Michel
Clement	Harris	Moakley
Coelho	Hatcher	Molinari
Coleman (MO)	Hawkins	Mollohan
Coleman (TX)	Hayes (IL)	Montgomery
Collins	Hayes (LA)	Moody
Conte	Hefner	Morella
Conyers	Henry	Morrison (CT)
Cooper	Hertel	Morrison (WA)
Costello	Hochbrueckner	Mrazek
Coyne	Hoyer	Murphy
Crockett	Hubbard	Murtha
Darden	Hughes	Natcher
Davis (IL)	Hyde	Neal
Davis (MI)	Jacobs	Nelson
DeFazio	Jeffords	Nichols
Dellums	Jenkins	Nowak
Derrick	Johnson (CT)	Oakar
DeWine	Johnson (SD)	Oberstar
Dicks	Jones (NC)	Obey
Dingell	Jontz	Olin
Dixon	Kanjorski	Ortiz
Donnelly	Kaptur	Owens (NY)

Owens (UT)	Roybal	Tallon
Panetta	Russo	Tauzin
Parris	Sabo	Thomas (CA)
Pashayan	Salki	Thomas (GA)
Patterson	Savage	Torres
Payne	Sawyer	Torricelli
Pease	Schaefer	Towns
Pelosi	Scheuer	Trafficant
Penny	Schroeder	Traxler
Pepper	Schuetz	Udall
Perkins	Schumer	Valentine
Petri	Sharp	Vento
Pickett	Shays	Visclosky
Pickle	Sisisky	Volkmeyer
Porter	Skelton	Walgren
Price	Slattery	Watkins
Pursell	Slaughter (NY)	Waxman
Rahall	Smith (IA)	Weiss
Ravenel	Smith (NE)	Wheat
Ray	Smith (NJ)	Whittaker
Richardson	Snowe	Whitten
Ridge	Solarz	Williams
Rinaldo	Spratt	Wise
Roberts	St Germain	Wolf
Robinson	Staggers	Wolpe
Rodino	Stallings	Wyden
Roe	Stark	Wyllie
Rose	Stokes	Yates
Rostenkowski	Stratton	Yatron
Roukema	Studds	Young (AK)
Rowland (CT)	Swift	
Rowland (GA)	Synar	

NOT VOTING—36

Boland	Gregg	Nagle
Bonker	Horton	Rangel
Boulter	Huckaby	Rhodes
Bryant	Jones (TN)	Ritter
Buechner	Kemp	Schneider
Clinger	Kolbe	Sikorski
de la Garza	Lott	Skaggs
Dowdy	Mack	Smith (FL)
Flippo	MacKay	Sundquist
Ford (TN)	McCandless	Sweeney
Frenzel	Miller (CA)	Vucanovich
Frost	Mineta	Weldon

□ 1620

The Clerk announced the following pair:

On this vote:

Mr. Boulter for, with Mr. Mineta against.

Mr. ROWLAND of Georgia and Mr. TORRES changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to section 5?

The Clerk will designate section 6.

The text of section 6 is as follows:

SEC. 6. STUDY REQUIREMENTS.

(a) **METHODOLOGY.**—In order to carry out the purpose set forth in section 2(a)(1), the Commission shall provide, by contract with the consultant selected under section 5(b), for the conduct of a study under which job-content analysis and economic analysis shall be applied with respect to a representative sample of occupations in which either sex is numerically predominant, any race is disproportionately represented, or either ethnic group is disproportionately represented.

(b) **COMPARISONS.**—In performing the study, comparisons shall be made—

(1) both within the same system (as referred to in section 2(a)(1)) and between the respective systems (as so referred to); and

(2) both on an intra-agency and on an inter-agency basis.

(c) **APPOINTMENTS AND PROMOTIONS.**—Under the contract, the consultant shall also be required to perform a separate study to carry out the purpose set forth in section 2(a)(2).

The CHAIRMAN. Are there amendments to section 6?

The Clerk will designate section 7.

The text of section 7 is as follows:

SEC. 7. REPORTING REQUIREMENTS.

(a) **DEADLINE.**—The Commission shall, not later than 18 months after the date of its establishment, submit to the President and each House of Congress—

(1) a copy of a report which shall be prepared by the consultant selected to perform the study under this Act; and

(2) comments of the Commission relating to such report.

(b) **INFORMATION TO BE PROVIDED IN CONSULTANT'S REPORT.**—Included in the report referred to in subsection (a)(1) shall be a detailed statement of the findings and conclusions of the consultant, pursuant to its study, with respect to differentials in rates of basic pay between or among occupations compared on the basis of sex, race, and ethnicity, including—

(1) a list of any groups of occupations with respect to which differentials were found although the work performed in the respective occupations comprising any such group involved skills, effort, responsibilities, qualification requirements, and working conditions which, while not identical, were equivalent in totality;

(2) such study shall include and measure the impact on wages in occupations as defined in section 10(3) which have been negotiated under collective bargaining agreements;

(3) the extent to which any differentials identified under paragraph (1) can be accounted for by the application of job-content and economic analyses; and

(4) the extent to which any differentials identified under paragraph (1) cannot be accounted for by the application of job-content and economic analyses.

The consultant shall also report any findings and conclusions of its study relating to appointment and promotion practices of the Government.

(c) **COMMISSION COMMENTS.**—(1) Included under subsection (a)(2) shall be recommendations by the Commission concerning appropriate measures for eliminating any differentials under subsection (b) if, and to the extent that, such differentials cannot be accounted for by the application of job-content and economic analyses.

(2) The Commission shall identify which (if any) of the measures under paragraph (1) may be carried out pursuant to any authority available under existing law, and shall make recommendations for any legislation or administrative action needed to carry out the other measures under such paragraph.

(3) The Commission may not make any recommendation under this Act which involves a reduction in any rate of pay or grade.

(4) Also included under subsection (a)(2) shall be the Commission's determination as to whether any portion of any differential identified under subsection (b)(1) which cannot be accounted for by the application of job-content and economic analyses may be inconsistent with the general policy expressed in section 2(a)(1) that sex, race, and ethnicity should not be among the factors considered in determining any rate of pay.

(d) **ADDITIONAL REQUIREMENT.**—The Commission shall furnish a copy of the consultant's report, together with the Commission's comments, to each appointing author-

ity in the legislative branch of the Government.

The CHAIRMAN. Are there amendments to section 7?

The Clerk will designate section 8.

The text of section 8 is as follows:

SEC. 8. CONSTRUCTION; ADVISORY NATURE OF STUDY.

(a) Nothing in this Act shall be construed to limit any of the rights or remedies provided under the Civil Rights Act of 1964, section 6(d) of the Fair Labor Standards Act of 1938, or any other provision of law relating to discrimination on the basis of race, color, religion, sex, national origin, handicap, or age.

(b) **ADVISORY NATURE.**—The consultant's study and any findings, conclusions, recommendations, or comments by the consultant or the Commission under this Act with respect to such study shall be considered to be of an advisory nature only.

AMENDMENT OFFERED BY MR. FAWELL

Mr. FAWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FAWELL:

On page 15, after line 5, insert the following:

(c) None of the procedures used in this Act to arrive at the findings, conclusions, and determinations thereunder shall be used in construing Congressional intent under title VII of the Civil Rights Act of 1964 or section 6(d) of the Fair Labor Standards Act.

Mr. FAWELL. Mr. Chairman, I know that we have had a number of amendments. I have waited patiently to present this one. I think that it is important.

This amendment, in effect, states that the comparable worth procedures, or if you want to call it something else that is all right with me, but the procedures of this bill should not be construed to mean that Congress intends that such a comparable worth procedure, or whatever the name may be, may otherwise be used in lawsuits as a procedural remedy against private employers to prove violations under the 1964 Civil Rights Act or under the Fair Labor Standards Act.

Mr. ACKERMAN. Mr. Chairman, I ask to reserve a point of order.

The CHAIRMAN. The gentleman from New York is tardy in his reservation. The gentleman from Illinois [Mr. FAWELL] is recognized.

Mr. FAWELL. Mr. Chairman, there has been a point of order?

The CHAIRMAN. The Chair has stated that the gentleman from New York was tardy in his reserving the point of order.

Mr. FAWELL. Mr. Chairman, my argument here may be a bit difficult, but I urge Members to listen carefully to it. This bill does provide methodology or procedures using the comparable worth concept. That is, coming up with pay-rate differentials of unlike occupations, of finding that there is equivalency in totality of these occupations and differentials are not ex-

plained by job content and economic analysis. So that it is a concept or procedure that is used to determine if the position classification system and the prevailing rate system of the U.S. Government is inconsistent, that is to say whether or not it is violative of the 1964 Civil Rights Act.

Mr. Chairman, if this is only a study, as the sponsors have said, and I believe they are sincere when they say that, and if there is no effect on any other law in any way, as the sponsors have said, then you really have nothing to fear in regard to this particular amendment.

I want to emphasize I am not talking about findings of the commission or conclusions which under section 8(b) are clearly advisory and not binding on the U.S. Government.

So hopefully the U.S. Government will not, as a legal matter, be deemed bound by these findings, but I am referring you to section 7(c)(3) which states that any portion of any differential in rates of pay between two unlike occupations may be inconsistent and violative of the Civil Rights Act of 1964 or section 6(d) of the Fair Labor Standards Act.

So I am talking, Mr. Chairman, about the procedures here, or you might say the remedies set forth here, the comparable worth remedies authorized in this bill by Congress to prove discrimination of perhaps sex, race, or ethnicity under the Civil Rights Act and under section 6(d) of the Fair Labor Standards Act.

Now Congress, in its wisdom, may opt for the comparable worth procedures to show discrimination under the Civil Rights Act or the Fair Labor Standards Act exists in the U.S. Government position classification system and in the prevailing system. But I believe that it is paving a way for a suit on that same procedural basis under the Civil Rights Act.

My point even more importantly is that this should not be construed to mean that Congress intends that such a comparable worth procedure may be otherwise used against private businesses as a remedy to prove violations of the Civil Rights Act.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(By unanimous consent, Mr. FAWELL was allowed to proceed for 2 additional minutes.)

Mr. FAWELL. Mr. Chairman, I realize the State of Washington case is done and over with, an appellate court decision has been made, not the U.S. Supreme Court, but Judge Kennedy said in that case nothing in the language of title VII or its legislative history indicates Congress intended to abrogate fundamental economic principles, such as the laws of supply and demand, if in effect, in order to determine if a charge of discrimination exists under the Civil Rights Act.

□ 1630

By this bill and putting in this legislative history of title VII, and that is what we are doing, that Congress now believes that by using these comparable worth procedures one can prove violations of discrimination under the Civil Rights Act, I believe opens up the possibility that, indeed, this will be used as a remedy against private businesses, indeed against the U.S. Government. But I am more concerned about private business and that that remedy will be used.

The amendment does nothing more than to say that nothing in this bill will be construed to create that kind of a presumption of intent by Congress in reference to construing the Civil Rights Act of 1964 and section 6(d) of the Fair Labor Standards Act. I would hope that perhaps you could accept this amendment because again I repeat that if this is only a study, and I believe you when you say that that is your intent, and I believe you when you say you do not mean to in any way mess up any other laws or the constructing of any other laws, then you can easily accept this and we do not have to be concerned that in any way we are messing up the legislative history of title VI or the Civil Rights Act of 1964 or section (d) of the Fair Labor Standards Act.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the last word.

Mr. FORD of Michigan. Mr. Chairman, I do not rise to oppose the amendment because I do not understand it. Frankly, when I first looked at it I thought that it would be subject to a point of order but I looked at it late in the process, because if it meant anything it would affect the enforcement of title 7 of the Civil Rights Act of 1964 or of section 6(d) of the Fair Labor Standards Act; on further reading it does not appear to affect the enforcement of them. As a matter of fact, it does not appear to do anything.

The gentleman's concern arises out of first setting up the strawman of some kind of a presumption coming out of the procedures used in this act to arrive at the findings, conclusions and determinations thereunder, and then he knocks it down with the amendment. He creates something that does not exist and then knocks it down.

Frankly, there is some risk in this that I would not commit to support in conference, but at this point I do not think it does anything and I would respectfully recommend that the committee not oppose the amendment, if we can get by without taking another vote.

Mr. FAWELL. Mr. Chairman, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from Illinois.

Mr. FAWELL. I thank the gentleman for yielding.

Mr. Chairman, may I respectfully suggest that if, as the chairman of the committee has stated, it creates something that does not exist or that you do not think it does anything, then this amendment could not hurt in any way. My main point is just to simply make it crystal clear that what we are trying to do is use these procedures in order to have the study in reference to the pay rate programs of the U.S. Government.

It is not meant to influence any other case law or any other statutory law, that we are trying to simply use these procedures in order to have the kind of a study you want to have for this particular bill.

Mr. FORD of Michigan. Reclaiming my time, I have to observe to the gentleman that the bill that we have before us does not change any substantive law. It does not provide for anything accept a commission to contract with appropriate experts to conduct a study which is nothing more than that when it is through. And then, presumably our committee and the committee on the Senate side, if they are impressed by anything they find in the study, will proceed to address whatever problems the study reveals.

So that the gentleman's concern that this law does not amend any other law is a nullity, because this law, this does not provide for anything except the taking of a study.

I might point out to the gentleman something I observed privately to a number of Members on the other side, and it does not seem to impress them, that there is nothing to prevent our committee from contracting for this study now except that we feel that if you had a balanced commission picking out the contractor, it might have more validity with the doubting Thomases in both bodies than it would if my committee did it.

We can do everything that this study talks about. As a matter of fact we can bring you legislation that you vote up or down on pay raises for people that we already know are not being handled properly. We did not choose to do that. We have tried to take the more responsible approach which parallels very much what Mr. TAYLOR and I worked out when we worked on your pensions and these people's pensions; we hired outsiders because we did not think a whole lot of people would believe what we said or OMB said or what OPM said about what ought to be done.

Mr. FAWELL. I think I have not completely made myself clear. But when the gentleman says that it does not change substantive law and that it is only a study, I say then you have nothing to fear about this amendment. And when the gentleman says that I have created something and then I try

to knock it down, I respectfully submit I have not.

If you will look at section 7(c)(3) it clearly sets forth the methodology. It basically says if you find the differentials in pay rates of unlike occupations then you have more or less an expert opinion that these two occupations are equivalent in totality, then if you do not, by a job content or an economic analysis have an explanation of why these differentials in rates of pay exist, then the result is discrimination and discrimination which is inconsistent with the Civil Rights Act. That is set forth right there in section 7.

My fear, you see, is not substantive law, my fear is that we are creating a procedure, a remedy, a procedural law that goes into the history of the Fair Labor Standards Act and the history of the Civil Rights Act so that any court in the future construing this will say, "Well, Congress has seen fit that this kind of proof, that is the differentials in unlike occupations"—

The CHAIRMAN. The time of the gentleman from Michigan [Mr. FORD] has expired.

(By unanimous consent, Mr. FORD of Michigan was allowed to proceed for 3 additional minutes.)

Mr. FORD of Michigan. If I understand what the gentleman is saying, he is referring to section 7(c)(3) "The commission may not make any recommendation under this act which involves a reduction in any rate of pay or grade." Is that the part the gentleman is talking about?

Mr. FAWELL. Yes, section (c)(4). Under section (c)(4) the commission has a right to reach a conclusion that there are differentials in pay rates of two unlike occupations, let us say a typist and a truck driver. They can then also make a determination that these two occupations are equivalent in totality which to me sounds like comparable worth but I will not argue the point. They then go on to say that if you cannot explain these differentials by the job content and economic analysis, then indeed you have a right to make a decision that it is violative of the Civil Rights Act and also of section 6(d) of the Fair Labor Standards Act, that it is inconsistent with those acts.

Now my only fear—and I may not be correct on this—but I think I have a very reasonable basis for fear on this point and other constitutional lawyers have sensed that, all I am saying is let us make it clear that because we have used this kind of a procedure, which you are free to use—no one is even questioning that—but let us make it clear that when we use this procedure, when Congress condones the use of that procedure as far as the Federal Government is concerned and when we hook it up to that violation, possibly, that can be found under the procedures of this act, of the Civil Rights

Act, that we make it clear that we do not intend to in any way imply that aside from authorizing it be done here, it does not affect the construction or the intent of Congress in regard to what procedures may be used under the Civil Rights Act or under section 6(d) of the Fair Labor Standards Act.

Mr. FORD of Michigan. As the gentleman explains it now it clearly is nongermane to this bill because this bill is not intended in any way to amend anything connected with either the Civil Rights Act or the Fair Labor Standards Act.

For that reason I do not think it does anything. But the further you explain it, the more it concerns me because it seems like you are aware of some legal theory that we are not aware of. I did not know, for example, that section 6(d) of the Fair Labor Standards Act applied to civil service employees. It applies clearly to employees of private employers of sufficient size to be covered under the Interstate Commerce Commission.

Since the Fair Labor Standards Act is an extension of our authority under the clause of the Constitution, I do not see how it applies to these people.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. FORD] has again expired.

(By unanimous consent, Mr. FORD of Michigan was allowed to proceed for 2 additional minutes.)

Mr. FORD of Michigan. What I am trying to get at is a simple one-line statement of what it is the gentleman wants us to agree to. The gentleman had it when I stood up here to accept it; now you have got me confused.

Mr. FAWELL. Mr. Chairman, has the gentleman indicated he could possibly accept the amendment?

Mr. FORD of Michigan. Yes, if the gentleman goes back to his original explanation of what he is trying to do.

Mr. FAWELL. I am sorry if I have not made it clear.

I am sure it is my deficiency in that regard. But what I am saying is that the procedures set forth—

Mr. FORD of Michigan. To carry out this study—

Mr. FAWELL. To carry out this study which admittedly can tie differentials in rates of pay to violations of the Fair Labor Standards Act and/or the Civil Rights Act of 1964, I do not want that to be construed to cause a court, in reviewing the legislative history of the Fair Labor Standards Act or the Civil Rights Act, to say since Congress approved that kind of a procedure in regard to this bill, well, that kind of a procedure, in order to find a violation of the Civil Rights Act, is all right in the eyes of Congress.

Therefore, if someone files a private suit under the Fair Labor Standards Act or under the Civil Rights Act and uses the identical theory, this comparable worth concept which I outlined,

and says, "We have a right to bring in proofs of differentials of unlike occupations; we have a right to put an expert on the stand who will testify to comparable worth of these two unlike jobs; we have a right to another expert on the stand who says he made a job content and economic analysis—"

Mr. FORD of Michigan. Mr. Chairman, would the gentleman be willing to stipulate that it is his intent, as he was explaining a few moments ago, that section 7(c)(3) of this act would not apply—

Mr. FAWELL. That is (c)(4).

Mr. FORD of Michigan. Well, we are not even talking about the same section of the bill.

Mr. FAWELL. Section (c)(4) sets forth the procedures to be used which call for a finding of a possible discrimination of sex or race or ethnicity which can be violative of the Civil Rights Act. And I am saying that I do not want that to in any way mess up the legislative history of the Civil Rights Act.

Mr. HENRY. Mr. Chairman, I move to strike the penultimate word and I rise in support of the amendment.

Mr. Chairman, I think we may be very close to reaching an agreement. If my colleague from Michigan could give me his ear for just a minute, there are amendments and there are amendments. We have seen some very intriguing ones these last several days.

The gentleman from Indiana [Mr. BURTON] has inquired to what I mean.

But I think this really is a good faith amendment to try to address concerns that are felt particularly on this side of the aisle. We may very well be mistaken, and the gentleman from Michigan [Mr. FORD] may be correct. It seems to me though if I take the gentleman from Michigan's comments at face value, if the gentleman from Illinois is mistaken in his interpretation, as the gentleman suggests, and that the intent which he sees in the study as stated on his side of the aisle, then there is no harm in the amendment and it would do a good deal to alleviate, assuage some of the concerns on this side of the aisle.

□ 1645

Mr. FORD of Michigan. Mr. Chairman, let me be very frank with the gentleman, if he will yield to me.

My purpose in jumping up here is not to usurp the position of the subcommittee chairman who is handling the bill, and I do not even have his permission to accept the amendment. I am not in a position to accept the amendment. But my whole motivation is the hope that we did not have a new player who was going to come in here with a whole lot of amendments and continue filibustering this bill. I thought if we could extend some kind of an olive branch here to indicate we

are not automatically against any idea Members have, I could indicate that this looks harmless to me. The longer I talked to the gentleman from Illinois [Mr. FAWELL], the more apprehensive I became because his enthusiasm indicates he thinks this has some operative effect. So I may be in fact prejudicing the hard work of my own subcommittee by making this gesture and asking them to consider accepting this, because I am the only one at this point over here who is convinced that it does no harm.

Mr. HENRY. Mr. Chairman, I wonder if it would be reasonable to ask if the subcommittee chairman would be willing to accept the amendment?

Mr. ACKERMAN. Mr. Chairman, will the gentleman yield?

Mr. HENRY. I yield to the chairman of the subcommittee.

Mr. ACKERMAN. Mr. Chairman, I thank the gentleman for yielding.

Part of the confusion here, it appears to me, is in the fact that the gentleman's "Dear Colleague" letter refers to section 7(c)(3) when in fact in his argument—and we have been trying to follow it in that vein—he has been talking about section 7(c)(4) all this time, and that has lent to the confusion for those of us who have been trying to follow the gentleman's discussion.

Mr. FAWELL. The gentleman is correct in that regard. I did make a mistake in the "Dear Colleague" letter.

Mr. ACKERMAN. Mr. Chairman, I think we are trying to take a look at it from that vantage point as well, and also from the vantage point of what has been happening here on the floor during the day while we have been looking at this issue.

Sometimes the area of discussion gets a bit muddled, and sometimes it is hard to tell the jewels from among the junk. With everything that has been thrown on the table during these past few days, sometimes short shrift has been given to some things we might be able to look at a little more carefully.

Let me ask the gentleman a question. Is this the basic thing that concerns the gentleman about the legislation before us?

Mr. FAWELL. Yes, speaking for myself, yes, this is the one great concern I have about this legislation.

Mr. ACKERMAN. Were these fears to be allayed by our accepting the amendment, would the gentleman then be prepared to accept the legislation?

Mr. FAWELL. I think probably I could. I still have a reticence about accepting the comparable worth theory for a study, but as long as I know it is kept within the walls of this body so we can look at only the Federal Government, with a lot of reticence I think I could feel safe in my own mind that the study could be conducted without having ill effects elsewhere.

Mr. ACKERMAN. Mr. Chairman, as we stated, the only condition we make through this committee at present is that the study apply only to the Federal employee, and we would go no further with this piece of legislation.

With that assurance from the gentleman, Mr. Chairman, I believe we will be prepared to accept this amendment, although we do not really think it has much of an effect.

Ms. OAKAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not going to take issue with my chairman of the full committee or with the subcommittee chairman, but I do want to say for the RECORD that I oppose the amendment. I will not ask for a vote, because hopefully we can get to the final vote on the bill soon.

The gentleman mentioned court cases. I think it is very important, because some of the sponsors, not necessarily this gentleman but others, have said that this is going to lead to court cases. Nothing could be further from the truth.

As a matter of fact, in a case in the State of Washington several years back, one of the many areas that they submitted was a study, and the court ruled that a study which indicated a particular wage study might be more equitable should not bind the employer who commissioned it.

I want the Members to understand what this amendment does. I think it is wrong because I think it is unconstitutional. Here is what we have in the bill. We say: "Nothing in this Act shall be construed to limit any of the rights or remedies provided under the Civil Rights Act. * * *

In other words, we are saying that just because we have a study of this nature does not mean that, under the protection of the Civil Rights Act, title VII, or the Fair Pay Act or the Fair Labor Standards Act, I as an individual could not go to court for other reasons. We are saying that this is just a study and it is advisory. The word "advisory," is repeated over and over again.

What I am afraid of is this: Let us say there is a sexual harassment case, for example. Are we saying that just because we have certain wage scales, an employee does not have the right to go to court and sue someone who might be violating the civil rights of that individual, male or female?

I think this is a very dangerous amendment, not because it applies to intent, and I am sure it is not malicious because I think the gentleman is a very thoughtful individual in terms of what he is trying to do. But I think it is very, very dangerous to indicate in a bill that an individual has no right to pursue an avenue that is inherent under laws that were created more than 20 years ago.

For that reason I want to publicly oppose the amendment for the purpose of clarifying what the intent is. This study is meant to be advisory. It is meant in no way, shape, or form to be used to go to court. That is why we are doing it, so people do not think they are discriminated against, because we have the responsibility and want to take a comprehensive look at the manner in which people are classified. But to say that somehow we have to limit somebody's civil rights, I just intellectually cannot buy that at all.

Mr. FAWELL. Mr. Chairman, will the gentleman yield?

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Ms. OAKAR. Let me yield to my friend, the gentlewoman from Colorado [Mrs. SCHROEDER], and then I will yield to the gentleman from Illinois.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentlewoman for yielding.

I think the gentleman from Ohio is absolutely correct. When it comes to wages and hours, I do not think it would have any application whatsoever because that is totally to one side. When it comes to the Civil Rights Act, obviously the Civil Rights Commission cannot take a Federal study of the Federal Government's Classification Service and use that for any purpose except in the Federal Government.

Nevertheless, if the gentleman is trying to get us to say that the procedures we are using in this study are incorrect, then I would disagree with the gentleman. We want to make it very clear that they are not saying that the procedures we are using are inaccurate, because that has been how they have been looking at the employer classifications of their employees to find out if there is discrimination there.

That is the methodology. It has been used now for 40 years. It is very sophisticated. Nothing is a total science, but after 40 years we have got it pretty well down. We think this is proper methodology, and we want to be sure it is done by proper people, not politicians but people out there in personnel law.

If the Members are thinking that we are going to reject that, then I would have to come out totally against this amendment, because to reject that methodology would be to reject what we have been doing. We would say there is no reason to have equal rights if equal pay does not hinge on that. Otherwise what does it mean?

The CHAIRMAN. The time of the gentlewoman from Ohio [Ms. OAKAR] has expired.

(By unanimous consent, Ms. OAKAR was allowed to proceed for 1 additional minute.)

Mrs. VUCANOVICH. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentlewoman from Nevada.

Mrs. VUCANOVICH. Mr. Chairman, I rise today in strong support of the Fawell amendment to H.R. 387, the Federal Equitable Pay Practices Act of 1988.

Unquestionably, the intentions of this bill's proponents are more than honorable, and I appreciate their genuine desire to make a difference. My concern is that my colleagues who support this bill acknowledge the legal reality of the results of this bill's study—namely, that supposedly advisory studies like the one proposed in this bill have resulted in expensive lawsuits on the State and local level and could result in a lawsuit against the Federal Government. The Fawell amendment takes into account this legal reality.

H.R. 387 says that the study would be advisory only. However, the fact is that State and local comparable worth studies that were supposedly advisory in nature have more often than not resulted in expensive lawsuits against the State or locality that conducted the study.

We have laws that protect victims of discrimination—and they are good laws. When Judge Kennedy ruled in the Washington State lawsuit, he said legislative history does not exist to determine if title 7 of the Civil Rights Act or section 6(d) of the Fair Labor Standards Act had been breached. Passage of this bill as written will provide that legislative history and turn the so-called advisory study results into evidence that would encourage lawsuits against the Federal Government based on this bill.

Mr. Chairman, this is a good amendment. I strongly support it and the legal clarification it would provide. I urge my colleagues to vote aye on the Fawell amendment.

Ms. OAKAR. Mr. Chairman, I want to again go on record as strongly opposing this amendment. I will not ask for a vote. I would just like to say that any time we are not sure what an amendment means relative to one's civil rights, we should reject it. I think there really is some fuzziness with this amendment, and I want to make sure we know this for the RECORD.

Mr. FAWELL. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield briefly to the gentleman from Illinois.

Mr. FAWELL. Mr. Chairman, I do want to make this very clear. Nobody is limiting anybody's civil rights. Anybody can bring a cause of action.

The only thing I am saying is that when we talk about the congressional intent in regard to the civil rights law, we are simply saying that because of what we are doing here, I do not want that to be construed that we are necessarily approving or disapproving in regard to these procedures in construing the Civil Rights Act and the Fair

Labor Standards Act. But as far as any remedies or as far as anybody bringing suit on any constitutional grounds, they may do that, and if anyone wants to try out that particular procedure, they may, under the Civil Rights law or under the Fair Labor Standards Act. I do not want what we are doing here to make any change in that regard.

Ms. OAKAR. Mr. Chairman, reclaiming my time, honestly that is not what the gentleman's amendment says.

The CHAIRMAN. The time of the gentlewoman from Ohio [Ms. OAKAR] has again expired.

(On request of Mr. FORD of Michigan, and by unanimous consent, Ms. OAKAR was allowed to proceed for 5 additional minutes.)

Mr. FORD of Michigan. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I am looking at the report, and we see that on page 40 of the report this language appears:

The Department of Justice rejects the validity of any comparable worth plan as a measurement of, or remedy for, alleged wage discrimination, and is concerned that the reports mandated by this bill would be misused as the basis for class action litigation seeking a judicially mandated restructuring of the entire federal pay and classification system. The Department's concern is not that such reports would constitute a valid basis for a successful lawsuit against the Federal Government. Rather, the Department's concern is that the highly subjective "study" mandated by the bill is rigged to make the seriously erroneous finding that differences in pay between dissimilar jobs are caused by sex discrimination. Litigation in which plaintiffs use the seriously flawed results of such a study as evidence could result in unjustified court orders requiring the total restructuring of the entire federal pay and classification system.

Now, is it the gentleman's opinion that his amendment meets this objection by the Justice Department, that it does what they want done?

Mr. FAWELL. I am sorry, Mr. Chairman, but I could not hear all that the gentleman was saying.

Mr. FORD of Michigan. Mr. Chairman, the point is that the committee heard from the Justice Department saying that they do not think the results of this should be used in any court for a class action suit against the Federal Government where a judge would tell the Federal Government to restructure its pay system.

That is the whole purpose of the study, and if that is the intent of the gentleman's amendment, I must apologize to him and tell him that I no longer recommend to the committee that they accept it.

We are four-square in agreement with the Justice Department on the use of this.

Does the gentleman think his amendment would prevent a group of employees who, as a result of this study, discovered that they had been put on the shelf but have been overlooked for many years, and then they said to the court, "Look, here is evidence of the fact that we are distinguished from other classes of employees doing the same thing, and therefore, we want the court to tell Congress that they ought to do it"?

I am not at all sure about this. The Justice Department wrote this, and I am not at all sure the court can tell us to legislate anything, and the court cannot change pay for Federal employees; only we can do that.

Nevertheless, if the gentleman's assurance is that it is not his intention to follow this red herring that the Justice Department set up and deprive anybody from using the results of this study in any litigation that may arise against the Federal Government, not private employers but the Federal Government, then I am more comfortable.

It is not the gentleman's intention to prevent anybody from using this, either legislatively or judicially, to deal with the Federal Government in its dealing with its employees, is it?

Mr. FAWELL. Mr. Chairman, if the gentlewoman will yield, I have no concern with the findings or conclusions that may come about here, and you may make whatever use of it as you may, as I see it, or as any of the employees in class action suits may wish to do so.

I am only concerned that the procedures used in this bill to arrive at the conclusion that there might be violations of the Civil Rights Act are not taken into consideration when the court has to construe the intent of the Civil Rights Act and/or the Fair Labor Standards Act. That is all it does, but it is significant.

Mr. MORELLA. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from Maryland.

Mrs. MORELLA. Mr. Chairman, my question is really this: If there were an intentional discrimination suit, would the gentleman's amendment then limit the already recognized legal remedies in an intentional discrimination?

Mr. FAWELL. No, it would not disturb the standard provisions that have always stood in regard to sex discrimination or racial discrimination or whatever. If one can prove that there is sex discrimination under the standard procedures, yes, of course. It would in no way affect that. All I am talking about is when the Supreme Court or any court has to construe the congressional intent in regard to the Fair Labor Standards Act, what Congress had in mind when they passed that act, I do not want them to think by

passing this act, we are saying the procedures used here mean that we necessarily assume there is discrimination that would be depository so far as construing intent under the Civil Rights Act.

□ 1700

The CHAIRMAN. The time of the gentlewoman from Ohio [Ms. OAKAR] has expired.

(By unanimous consent, Ms. OAKAR was allowed to proceed for 1 additional minute.)

Ms. OAKAR. Mr. Chairman, if the gentleman's intention is that the sense of Congress' purpose is not to in effect take this material and use it for court cases, which we unequivocally have said that is not our purpose at all; the purpose is really to do an analytical study based on job content, and the economy, and the marketplace, et cetera, I think a colloquy suffices.

But I want to repeat this. The gentleman has an amendment that nobody really quite understands. My chairman, who is a distinguished attorney, has kind of gone back and forth in interpreting what this means, and he is our chairman who knows more about the law than all of us put together I think.

I think it is dangerous honestly, and I know that is not what the intent is. I think a colloquy putting more language in after our record would suffice.

It has already been acknowledged that the courts in the case that I mentioned and our cases said, "Studies don't count."

My colleagues, why put an amendment like this in? I think it is very dangerous.

Mr. Chairman, I would hope that we could work this out without a vote on this.

The CHAIRMAN. The time of the gentlewoman from Ohio [Ms. OAKAR] has expired.

(By unanimous consent, Ms. OAKAR was allowed to proceed for 1 additional minute.)

Ms. OAKAR. Mr. Chairman, I really understand what the gentleman is trying to do, but I do not think his amendment does it. That is my instinct about it, and I really just think it is a dangerous amendment.

Mr. FAWELL. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from Illinois.

Mr. FAWELL. Mr. Chairman, I am left at a loss over here. I am not quite sure if the gentlewoman has accepted the amendment with her reservations or what.

Ms. OAKAR. Mr. Chairman, I do not accept it. Under a voice vote I am going to vote a resounding no because I feel strongly that it is dangerous.

Mr. ARMEY. Mr. Chairman, I rise in support of the amendment.

Mr. ACKERMAN. Mr. Chairman, will the gentleman yield?

Mr. ARMEY. Mr. Chairman, if I might just pose a question to the gentleman from New York [Mr. ACKERMAN], and then yield to the gentleman.

Do I now understand, because it has become somewhat cloudy, that the committee is prepared to accept this amendment? I mean that is my question before I proceed with my time.

Mr. ACKERMAN. Mr. Chairman, we would prefer to voice vote it. It is my belief, after hearing the gentleman's explanation, reading the legislation, that it would not have any effect in law, and, therefore, we are willing to accept it.

Mr. ARMEY. Mr. Chairman, reclaiming my time, let me congratulate the gentleman from Illinois [Mr. FAWELL] on having put his finger on a very, very key concern for most of us. The fact of the matter is that in those areas where comparable worth has been implemented, it has been sort of the backdoor approach. Certainly Washington State is an exemplary example where the legislative body authorizes the study, and then upon accepting the study they were hit with a class action suit—Washington State, Illinois, Michigan, California, Connecticut, Rhode Island, Iowa, Hawaii, Pennsylvania, Philadelphia, Colorado Springs, Los Angeles, county of Nassau, NY, New York City, and San Jose.

Although this amendment, if accepted, does not assuage my colleagues, it certainly helps me to feel somewhat more assured that we will have some basis by which we can defend the Government in the lawsuit that would most certainly follow if the law should be passed, so I would again commend the Member for his amendment and his hard work, and I encourage the Members to vote for the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FAWELL].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to section 8?

If not, the Clerk will designate section 9.

The text of section 9 is as follows:

SEC. 9 FUNDING.

Sums appropriated to the Office of Personnel Management for general operating expenses shall be available to carry out this Act. Any authority to enter into contracts under this Act shall be effective only to such extent or in such amounts as are provided in appropriation Acts, including any sums referred to in the preceding sentence.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 15, strike lines 6 through 12 and insert in lieu thereof the following:

SEC. 9. FUNDING.

Before any provisions of this bill are executed, a specific amount of funds must be reviewed and recommended by the Appropriations Committee and approved by Congress.

Mr. BURTON of Indiana. Mr. Chairman, this amendment requires that an actual appropriation of funds be made for this study. In the current bill it states that the moneys which would have been used for these hirings are to be taken out of the OPM budget, a budget which has already been approved by Congress according to the projects and staffs we felt OPM should have this year.

Now, if we take approximately \$2.5 million out of this already approved budget, which of the other projects that we have already approved are going to be eliminated?

Mr. Chairman, I would like for someone to respond to that on the other side. The bill's proponents say this will help certain Federal Government employees. Well, which other Federal Government employees are we hurting by eliminating the programs administered by OPM? Shall we remove the employee assistance program or put a hold on hiring because we cannot afford the suitability investigations? Or should we just furlough some OPM employees?

Mr. Chairman, we are talking about \$2.5 million coming out of their budget which has not been appropriated for this purpose that I know of. In fact, as I recall, we cut OPM's budget. This is irresponsible spending at its worst, and I would like to ask somebody over there who is a proponent of the bill, "Where do you propose to get the \$2.5 million for this study? From what programs are you going to take these funds?"

Mr. Chairman, is there anyone over there who can respond to me?

No one wants to respond?

Mr. Chairman, the fact of the matter is that \$2.5 million will be cut from some funds, and they are not willing to tell where they are going to cut them.

It is interesting to me, when I hear them talking about Presidential candidates, they are always asking them where they are going to reduce the deficit, and they jump all over Mr. BUSH when he does not respond the way they want him to. I am asking them now where are they going to get the \$2.5 million out of the OPM budget to pay for this study, and nobody will respond.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, it is hard for anybody to respond to that question because it would be up to whoever, by the time this goes into effect next year, is running OPM,

and it may not be any of the people who are there now, no matter who wins the election, but I think if the gentleman wants something to worry about, do not worry about \$2.5 million.

The Director of the Office of Personnel Management has been meeting with me with a new wage plan for the Defense Department employees, and NASA employees and some other groups that costs in the hundreds of millions of dollars to implement, and it is pursuant to a study that they just released 2 days ago showing that the average Federal employee is 26 percent behind the same job in the private sector—

Mr. BURTON of Indiana. Reclaiming my time, Mr. Chairman, the gentleman has answered my question.

Mr. ACKERMAN. Mr. Chairman, his administration is asking me to go along with a multi-multi-billion-dollar or million-dollar pay increase for these people. Two and a half is peanuts to OPM.

Mr. BURTON of Indiana. Well, the American taxpayer, with all due respect to my beloved chairman, does not consider \$2.5 million for the 31st study on this subject to be peanuts. So I mean he may consider that to be peanuts; I do not know how much money he has, but it obviously must be a lot if he considers \$2.5 million peanuts, but the American taxpayer wants us to be very scrupulous when we spend their tax dollars.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, the gentleman from Indiana [Mr. BURTON] is giving the impression that we are trying to add on \$2.5 million. What we are saying is, "Take it out of the \$107 million that OPM already has that frankly much of which has been spent on consultants doing all those studies that are sort of innocuous."

So the fact is that we are trying to not add on the money. We are trying to take it out of an agency that already gets \$107 million, and frankly they use a lot of it on those studies that are kind of innocuous studies that really have very little relevancy to the classification system.

Mr. CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 1 additional minute.)

Mr. BURTON of Indiana. Mr. Chairman, I think it depends on whose ox is gored and whom you want to believe as far as whether or not a study is important, relevant, or innocuous. Many of those studies OPM has been conducting are very important. This study here I, on the other hand, think is innocuous, irrelevant, because we have already had studies on this subject ad

infinitum. We have had 30 already, and there will be 31.

I see no reason to spend \$2.5 million on this study, but, if we are going to do it, OPM does not have the money available for this study, and I think we should appropriate the money for this purpose.

I think this amendment is a very important one, and I urge its adoption.

Mr. ACKERMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as to the gentleman's question of where the \$2.5 million is going to come from, I think upon careful reading of the bill the gentleman will find that it does not require \$2.5 million. It is \$2 million, and it is not \$2 million per annum. It is \$2 million over 2 years or \$1 million per year, and basically we intend on our side for that to come out of OPM's budget. They have a budget of \$107.5 million. Divide that 2 million over 2 years. It is less than 1 percent of their total budget of moneys already appropriated.

Mr. Chairman, I have to say that the gentleman from Indiana [Mr. BURTON] seeks to make a new appropriation in his amendment, a new appropriation of moneys for this which would require us to go through the Committee on Appropriations, and, to do this entire debate, as enjoyable as I am sure it is to the gentleman; some of us are rather tiring of it, but we are patient and understanding, and we have no intention of going through this whole thing again should the gentleman want to put it through the appropriation process.

The bill as it stands uses sums already appropriated, and, therefore, we will have to cause the taxpayer no additional expense other than what we have caused already.

Mr. Chairman, having no desire to further extend this debate, I yield back the balance of my time, and hopefully we can get back to the people's business.

Mr. ARMEY. Mr. Chairman, I rise in support of the amendment.

I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I know the gentleman from New York [Mr. ACKERMAN] has no desire to extend this debate, but I would like to ask him a question.

Mr. Chairman, did the gentleman talk to OPM and ask them if they had the \$2.5 million available for this study? Did anybody on that side talk to OPM?

Mr. ACKERMAN. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from New York.

Mr. ACKERMAN. Mr. Chairman, perhaps the gentleman from Indiana [Mr. BURTON] did not hear me. It is not \$2.5 million. It is \$2 million over 2 years, and OPM has \$107.5 million that they have already appropriated,

and we ask that they take it out of those funds.

Mr. BURTON of Indiana. Mr. Chairman, the answer is that the gentleman from New York [Mr. ACKERMAN] did not talk to OPM about this.

Mr. ACKERMAN. Mr. Chairman, we do not have to talk to them. We gave them \$107.5 million. It is my understanding that they have two.

Mr. BURTON of Indiana. Mr. Chairman, the fact of the matter is that people at OPM will tell any Member of this body they are already strapped, the 1.7 is less than they requested, so their budget is reduced, as I understand it. They do not have the \$2.5 million over 2 years to pay for this study.

So, Mr. Chairman, my amendment merely says:

[If you're going to spend it, you have to appropriate it. You can't take money that's already appropriated for some other purpose away from them without hurting that agency and without hurting employees in that agency.]

Mr. Chairman, my colleagues purport to want to help bring about equality in the work force, and yet they are taking \$2.5 million for an agency that is going to cause them to maybe lay off employees, maybe cut their salaries. I do not know, but it is certainly going to take money from other programs within that agency.

Mr. Chairman, this does not make sense. If we are going to spend the money, then in my view we should appropriate the money or ask for an appropriation from the Committee on Appropriations that will cover the expense of the study.

I thank the gentleman from Texas [Mr. ARMEY] for yielding.

Mr. ARMEY. Mr. Chairman, I would like to use the remainder of my time to just point out that I will always try to acquire as much time as possible. We do not object when somebody asks for a sentence of our time, and we certainly would like to see our Members be given the same courtesy when they ask for an extension of their time.

□ 1715

Certainly both sides have an equal right to be heard as fully as both sides feel necessary to make their points.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 122, noes 273, not voting 36, as follows:

[Roll No. 370]

AYES—122

Annunzio	Grandy	Oxley
Archer	Gunderson	Packard
Armedy	Hammerschmidt	Pickle
Badham	Hansen	Porter
Baker	Hastert	Quillen
Ballenger	Hefley	Regula
Bartlett	Henry	Rhodes
Barton	Herger	Ritter
Bateman	Hiler	Roberts
Bentley	Holloway	Rogers
Bereuter	Houghton	Roth
Billakis	Hunter	Saxton
Bliley	Hyde	Schaefer
Broomfield	Inhofe	Schuetter
Brown (CO)	Ireland	Schulze
Bunning	Jacobs	Shaw
Burton	Kasich	Shumway
Callahan	Kolbe	Shuster
Chandler	Konnyu	Skeen
Coats	Kyl	Slaughter (VA)
Coble	Latta	Smith (TX)
Combest	Lewis (CA)	Smith, Denny
Courter	Lewis (FL)	(OR)
Craig	Lightfoot	Smith, Robert
Crane	Livingston	(NH)
Dannemeyer	Lowery (CA)	Smith, Robert
Daub	Lujan	(OR)
DeLay	Lukens, Thomas	Solomon
DeWine	Lukens, Donald	Stump
Dickinson	Lungren	Taylor
DioGuardi	Madigan	Thomas (CA)
Dornan (CA)	Marlenee	Upton
Dreier	Martin (IL)	Vander Jagt
Emerson	McCollum	Vento
Fawell	McCrery	Vucanovich
Fields	McEwen	Walker
Galleghy	McMillan (NC)	Weber
Gallo	Meyers	Whittaker
Gekas	Miller (OH)	Wilson
Gingrich	Moorhead	Wortley
Goodling	Murphy	Young (FL)
Gradison	Nielson	

NOES—273

Ackerman	Darden	Hamilton
Akaka	Davis (IL)	Harris
Alexander	Davis (MI)	Hatcher
Anderson	de la Garza	Hawkins
Andrews	DeFazio	Hayes (IL)
Anthony	Dellums	Hayes (LA)
Applegate	Derrick	Hefner
Aspin	Dicks	Hertel
Atkins	Dingell	Hochbrueckner
AuCoin	Dixon	Hopkins
Barnard	Donnelly	Horton
Bates	Dorgan (ND)	Hoyer
Beilenson	Downey	Hubbard
Bennett	Durbin	Huckaby
Berman	Dwyer	Hughes
Bevill	Dyson	Hutto
Bilbray	Early	Jeffords
Boehlert	Eckart	Jenkins
Bonior	Edwards (CA)	Johnson (CT)
Borski	English	Johnson (SD)
Bosco	Erdreich	Jones (NC)
Brennan	Espy	Jontz
Brooks	Evans	Kanjorski
Brown (CA)	Fascell	Kaptur
Bruce	Fazio	Kastenmeier
Buechner	Feighan	Kennedy
Bustamante	Fish	Kennelly
Byron	Flake	Kildee
Campbell	Flippo	Klecza
Cardin	Florio	Kolter
Carper	Foglietta	Kostmayer
Carr	Ford (MI)	LaFalce
Chapman	Frank	Lagomarsino
Chappell	Frenzel	Lancaster
Clarke	Garcia	Lantos
Clay	Gaydos	Leach (IA)
Clement	Gejdenson	Leath (TX)
Coeilho	Gephardt	Lehman (CA)
Coleman (MO)	Gibbons	Lehman (FL)
Coleman (TX)	Gilman	Leland
Collins	Glickman	Lent
Conte	Gonzalez	Levin (MI)
Conyers	Gordon	Levine (CA)
Cooper	Grant	Lewis (GA)
Costello	Gray (IL)	Lipinski
Coughlin	Gray (PA)	Lloyd
Coyne	Guarini	Lowry (WA)
Crockett	Hall (TX)	Manton

Markey	Patterson	Smith (NE)
Martin (NY)	Payne	Smith (NJ)
Martinez	Pease	Snowe
Matsui	Pelosi	Spence
Mavroules	Penny	Spratt
Mazzoli	Pepper	St Germain
McCloskey	Perkins	Staggers
McCurdy	Petri	Stallings
McDade	Pickett	Stangeland
McGrath	Price	Stark
McHugh	Pursell	Stenholm
McMillen (MD)	Rahall	Stokes
Mfume	Ravenel	Studds
Mica	Ray	Swift
Miller (CA)	Richardson	Synar
Mineta	Ridge	Tallon
Moakley	Robinson	Tauke
Molinar	Rodino	Tauzin
Mollohan	Rose	Thomas (GA)
Montgomery	Rostenkowski	Torres
Moody	Roukema	Torricelli
Morella	Rowland (CT)	Towns
Morrison (CT)	Rowland (GA)	Trafficant
Morrison (WA)	Roybal	Traxler
Mrazek	Russo	Udall
Murtha	Sabo	Valentine
Myers	Saiki	Visclosky
Nagle	Savage	Volkmer
Natcher	Sawyer	Walgren
Neal	Scheuer	Watkins
Nelson	Schroeder	Waxman
Nichols	Schumer	Weiss
Nowak	Sensenbrenner	Wheat
Oaker	Sharp	Whitten
Oberstar	Shays	Williams
Obey	Sikorski	Wise
Olin	Sisisky	Wolf
Ortiz	Skaggs	Wolpe
Owens (NY)	Skelton	Wyden
Owens (UT)	Slattery	Wyllie
Panetta	Slaughter (NY)	Yates
Parris	Smith (FL)	Yatron
Pashayan	Smith (IA)	Young (AK)

NOT VOTING—36

Boggs	Foley	Michel
Boland	Ford (TN)	Miller (WA)
Bonker	Frost	Rangel
Boucher	Green	Rinaldo
Boulter	Gregg	Roe
Boxer	Hall (OH)	Schneider
Bryant	Jones (TN)	Solarz
Cheney	Kemp	Stratton
Clinger	Lott	Sundquist
Dowdy	Mack	Sweeney
Dymally	MacKay	Swindall
Edwards (OK)	McCandless	Weldon

□ 1735

The Clerk announced the following pairs:

On this vote:

Mr. Boulter for, with Mrs. Boxer against.
Mr. Swindall for, with Mrs. Boggs against.

Messrs. PASHAYAN, DWYER of New Jersey, and MAVROULES changed their vote from "aye" to "no."

Mr. ROBERTS and Mr. VENTO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there other amendments to section 9?

If not, the Clerk will designate section 10.

The text of section 10 is as follows:

SEC. 10. DEFINITIONS.

For the purpose of this Act—

(1) "job-content analysis", as applied with respect to occupations, means an objective, quantitative method of rating representative entry-level positions within such occupations in order that—

(A) composite values may be established with respect to such occupations based on factors such as the skill, effort, responsibilities, qualification requirements, and working conditions involved; and

(B) comparisons may be made with respect to the positions and occupations involved;

(2) "economic analysis", as applied with respect to 2 or more occupations, means an objective method for analyzing differentials in pay between or among those occupations in order to determine if, and the extent to which, those differentials are attributable to—

(A) job-related factors such as seniority, merit, productivity, education, work experience, or veteran status;

(B) geographic factors; and

(C) other factors, exclusive of sex, race, and ethnicity;

(3) "occupation" means any grouping of positions within an agency, as identified or defined under chapter 51 of title 5, United States Code, or subchapter IV of chapter 53 of such title;

(4) "position" means the work, consisting of the duties and responsibilities, assignable to an individual;

(5) "ethnicity" refers to the quality of being, or not being, of Hispanic origin;

(6) "ethnic group" refers to a grouping based on ethnicity;

(7) an individual shall be considered to be of Hispanic origin if such individual is of Mexican, Puerto Rican, Cuban, Central American, South American or other Spanish origin;

(8) "consultant" includes an organization which provides consultant services;

(9) "Commission" means the Commission on Equitable Pay Practices established under section 3;

(10) "labor organization" has the meaning provided by section 7103(a)(4) of title 5, United States Code;

(11) "exclusive representative" has the meaning provided by section 7103(a)(16) of title 5, United States Code;

(12) "agency" means an executive agency within the meaning of section 105 of title 5, United States Code (other than the General Accounting Office); and

(13) "Government" means the Government of the United States.

The CHAIRMAN. Are there any amendments to section 10?

AMENDMENT OFFERED BY MR. GEKAS

Mr. GEKAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEKAS: Page 16, strike out lines 18 and 19 and insert in lieu thereof the following:

"(5) 'ethnicity' refers to the country where a person was born or the country from which his or her ancestors came;"

Mr. GEKAS. Mr. Chairman, we ought to get right from the start that this has nothing to do with the death penalty.

Mr. Chairman, the reason we are offering this amendment is to try to clarify something which has been puzzling me ever since this issue has arisen. The definition for ethnicity in the bill right now seems to be relegated to being of Hispanic origin or not being of Hispanic origin. All we want to do is to try to demonstrate that eth-

nicity means for others besides those of Hispanic roots, and those of Hispanic roots, of course, are well protected in any event.

Mr. Chairman, I would ask the gentlewoman from Ohio [Ms. OAKAR] to explain how she intends to have the RECORD indicate how ethnicity and national origins will be covered.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. GEKAS. I am happy to yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, on page 3, lines 9 and 10, the bill says:

(1) are generally consistent with applicable provisions of law prohibiting discrimination on the basis of sex, race, or national origin.

When the bill came up before, the issue of national origin was added to the bill by the distinguished gentleman from Illinois [Mr. LIPINSKI], who requested that that language be added, and at that time I engaged in a colloquy with the gentleman from Illinois [Mr. LIPINSKI], and if my friend, the gentleman from Illinois, does not mind my repeating his words in my own, he said, "I rise for the purpose of entering a colloquy." He said, "It is my understanding that the chairwoman," and I think that that is what you were interested in, and it is a very important point, that the meaning of the term "national origin" in this amendment includes individuals of all ethnic backgrounds who have been historically discriminated against including Italians, Polish, Germans, Irish, Lithuanians, Ukrainians, Yugoslavians, Czechoslovakians or any other ethnic background," and our answer was, "Yes, that is my understanding."

He asked, "Is it also the understanding of the chairwoman that the consultant will use this meaning of national origin while conducting the study mandated by this legislation?" The answer was "Yes." So that is where we put the gentleman's element in the bill, and we think that that is exactly consistent with what the point is the gentleman is trying to make that we take a look at all ethnic groups, not just one.

Mr. GEKAS. I thank the gentlewoman for that explanation.

There is one further bit of explanation for the RECORD. In an off-the-record conversation that I had with the gentleman from New York [Mr. GARCIA] I wanted to point out to him that where we discuss being of Hispanic origin or not being of Hispanic origin, I want the record to be clear that that in itself would cover all other ethnic groups, and we wanted it to mean that way. By the wording itself, it is not clear, but now the legislative record and the CONGRESSIONAL RECORD will indicate so.

Mr. GEKAS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Are there further amendments to section 10?

The Clerk will designate section 11.

The text of section 11 is as follows:

SEC. 11. EFFECTIVE DATE.

This Act shall take effect 30 days after the date of the enactment of this Act.

Ms. SLAUGHTER of New York. Mr. Chairman, I rise today in strong support of H.R. 387, the Federal Equitable Pay Practices Act of 1988. The statistics and evidence clearly show that the Federal Government pays significantly lower wages to women and minorities.

Some would argue that these statistics are not evidence of discrimination based on sex, race or ethnicity. This study is designed to find the reasons for wage disparity. Differences in responsibility levels, education levels, and other economic and job content factors are legitimate and acceptable reasons for wage disparities. Differences based on sex, race or national origin are completely unacceptable.

The positive effects of equitable pay practices extend beyond the employee. We are talking about assuring economic security and self-sufficiency for entire families. Women at all ages are twice as likely as men to be poor and one in six families is headed by a woman. Our elderly women are especially likely to live in poverty. In 1986, the median income of elderly women was only 56 percent of that of elderly men. During the height of the earning cycle—generally considered to be between the ages of 45 and 64—the wage gap between men and women is greatest. Even when major differences in work force participation between men and women are eliminated, women's earnings lag well behind those of men, as do job-related benefits. It is time to remedy pay inequities so we can begin improving the economic situation for today's worker and tomorrow's senior citizen.

We must update our Federal pay scales to reflect the 1980's and 1990's not the 1920's, where the first and only study of our Federal pay scales was completed. As responsible legislators we owe it to all Federal workers and all Americans to assure that equitable pay practices are used by the Nation's largest employer. I join my colleagues in a bipartisan effort to pass H.R. 387 and in doing so, break down the barriers to pay equity for many who want only a fair wage for their hard work.

Mr. GARCIA. Mr. Speaker, I rise today in support of H.R. 387, the Federal pay equity study, and I commend Chairman FORD and Representative

OAKAR on their efforts to move this bill to the floor.

H.R. 387 is a much needed bill to help eliminate wage discrimination based on race or sex. The goal of pay equity is to ensure that women and minority groups are paid equally according to the worth of their jobs. The fact show that this is not the case at this time.

For instance, in 1987, full-time women workers earned, on average, only 64 cents compared to every dollar earned by men. In 1986, the median annual wage for men was \$25,256 and \$16,232 for women. These types of inequities can no longer be tolerated.

We are experiencing a changing work force, and it is becoming clear that women will constitute a greater share of the Nation's work force and of the income earners in the future. Right now, the average working wife contributes 28 percent of her family's annual income. One in six families is headed by a woman and one in three of these female-headed families is poor. The number of poor families would be cut in half if women were paid at the same rates as men in the same positions.

For minorities, the situation is even worse. On average, black women earn only 57 percent of the salary earned by white men, and Hispanic women make only 53 percent.

Some opponents of this bill will argue that these differences can be explained by factors such as education and work experience. However, the Census Bureau found that 35 to 40 percent of the gap in earnings could not be explained by these factors.

It is time that women and minorities move out of the low-paying, low-responsibility jobs that they have been concentrated in. Women deserve an equal opportunity to work in sectors other than clerical, sales, service, and factory jobs, of which they made up 77 percent of the work force in 1985.

This bill is a step in the right direction to solving these inequities. It establishes a Commission to determine whether the Federal pay system is discriminatory in any way, and to make recommendations on its improvement. It does not adjust private sector pay scales or implement a national pay scale. Rather, it would study the existing wage gaps and recommend what can be done in the Federal Government to alleviate such inequities in the future. I urge my colleagues to support this bill.

Mr. HOYER. Mr. Chairman, I again want to commend the gentlewoman from Ohio, the honorable MARY ROSE OAKAR. She and the nearly 150 other Members of this body who have joined her in support of this important legislation, the Federal Equitable Pay Practices Act, deserve high praise for

bringing to this body a necessary and reasoned piece of legislation.

Today, the House of Representatives is debating legislation that for the first time since 1923 provides for a study of the Federal wage and classification system by a bipartisan commission.

The Pay Equity Act does one thing—it will help answer a question which has never received an answer—does the Federal wage and classification system discriminate on the basis of race, gender, or ethnic origin?

Present law requires that all positions on the General Schedule be classified into 1 of 18 grades and be paid according to their level of difficulty and responsibility.

Is the system administered according to the law, or are the salary levels of these positions influenced by factors such as race, gender, and ethnicity?

Put another way, "Is the Federal wage and classification system administered fairly?"

Consider the facts: Women earn only 63 cents for every dollar a man earns; black women earn even less; three-quarters of women in the Federal sector are concentrated in the lower paying office service, clerical and administrative positions; 85 percent of men in the Federal sector are found in primarily supervisory positions in grades 10 through 15.

Those are the facts.

A study of the Federal Government's wage and classification system seems reasonable. It is also logical and necessary unless we turn our backs on the principles of equal opportunity upon which this Nation is founded.

We cannot close our eyes to the apparent inequities in the system's administration.

H.R. 387 is itself a charge to discover the facts; it is a mandate to simply determine the truth.

The House of Representatives first voted to approve pay equity legislation in 1985.

In 1985, some of our colleagues viewed this legislation as an effort to overturn free market pay scales, or the time proven theories of supply and demand.

That fear was unfounded in 1985. But turning logic and sound public policy on its head, that fear continues to confuse and cloud the issue today.

Again, the facts: H.R. 387 does not presume that wage differentials are the result of discrimination; H.R. 387 does not extend to private sector or State and local employers; H.R. 387 does not mandate a national employment or pay policy for the Federal Government.

I would prefer that the fear that motivates some of the opponents of the Pay Equity Act were moved rather to empathy, concern, even outrage. Not just because: Female civil servants are overwhelmingly employed in grades 1-

6, or; because 85 percent of men are in supervisory and management roles, even though women are 48 percent of the Federal work force, or; because the average annual earnings of women in the Federal sector are \$11,000 less than those of men.

But because these people—women, in particular—are entitled to a fair shake.

They deserve to be compensated on the basis of the true value of their labor.

As far back as 1870, close to 30 percent of the households in Baltimore, MD, relied in some way on female-generated income. By 1900, that proportion had risen to 40 percent.

Today, Prince George's County, MD, the community that I represent, has one of the highest proportions of working women in the country. And the reason, in 1870, in 1900, and in 1988, is economic necessity.

Women have always worked. They simply have not always been compensated, let alone compensated fairly, for their labor.

We cannot ignore the possibility that in its treatment of many of its employees, the Federal Government may violate the letter or spirit of the fair labor or civil rights standards that are intended to protect all Americans.

Isn't it about time we had the courage to simply ask the question and determine whether hardworking, dedicated civil servants are the victims of a very costly form of discrimination?

We deserve to know the truth.

In the 99th Congress the House faced the facts, understood the potential problem, and approved legislation calling for a review of the Federal pay classification system.

I am confident that the House will again turn away from those who would appeal to blind fear and baser instincts.

It is untenable that we deny ourselves the information that could provide us with the evidence to determine whether the largest employer in the Nation is also one of its biggest practitioners of discrimination.

The 100th Congress has achieved much in this session, including enactment of the Civil Rights Restoration Act and the Fair Housing Act. Let's add the Pay Equity Act to the list.

The CHAIRMAN. Are there further amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. HOYER] having assumed the chair, Mr. KILDEE, Chairman of the Committee of the Whole House on the State of

the Union, reported that that Committee, having had under consideration the bill (H.R. 387) to promote equitable pay practices and to eliminate discrimination within the Federal civil service, pursuant to House Resolution 537, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

□ 1745

The SPEAKER pro tempore (Mr. HOYER). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 302, noes 98, not voting 31, as follows:

[Roll No. 371]

AYES—302

Ackerman	Clarke	Espy
Akaka	Clay	Evans
Alexander	Clement	Fascell
Anderson	Coelho	Fawell
Andrews	Coleman (MO)	Fazio
Annuzio	Coleman (TX)	Feighan
Anthony	Collins	Fish
Applegate	Conte	Flake
Aspin	Conyers	Flippo
Atkins	Cooper	Florio
AuCoin	Costello	Foglietta
Barnard	Coughlin	Foley
Bates	Coyne	Ford (MI)
Bellenson	Crockett	Frank
Bennett	Darden	Frenzel
Berman	Daub	Garcia
Bevill	Davis (IL)	Gaydos
Bilbray	Davis (MI)	Gejdenson
Boehrlert	de la Garza	Gephardt
Boggs	DeFazio	Gibbons
Bonior	DeLums	Gilman
Borski	Derrick	Glickman
Bosco	Dickinson	Gonzalez
Brennan	Dicks	Goodling
Brooks	Dingell	Gordon
Broomfield	Dixon	Grant
Brown (CA)	Donnelly	Gray (IL)
Brown (CO)	Dorgan (ND)	Gray (PA)
Bruce	Downey	Green
Buechner	Durbin	Guarini
Bustamante	Dwyer	Gunderson
Byron	Dymally	Hall (OH)
Campbell	Dyson	Hall (TX)
Cardin	Early	Hamilton
Carper	Eckart	Harris
Carr	Edwards (CA)	Hatcher
Chapman	English	Hawkins
Chappell	Erdreich	Hayes (IL)

Hayes (LA)	Mica	Schaefer
Hefner	Michel	Scheuer
Henry	Miller (CA)	Schroeder
Hertel	Miller (OH)	Schuetz
Hochbrueckner	Mineta	Schulze
Hopkins	Moakley	Schumer
Horton	Molinari	Sharp
Hoyer	Mollohan	Shays
Hubbard	Montgomery	Sikorski
Hughes	Moody	Siskis
Hutto	Morella	Skaggs
Jacobs	Morrison (CT)	Skelton
Jeffords	Morrison (WA)	Slattery
Jenkins	Mrazek	Smith (FL)
Johnson (CT)	Murphy	Smith (IA)
Johnson (SD)	Murtha	Smith (NE)
Jones (NC)	Myers	Smith (NJ)
Jontz	Nagle	Snowe
Kanjorski	Natcher	Solarz
Kaptur	Neal	Solomon
Kasich	Nelson	Spence
Kastenmeier	Nichols	Spratt
Kennedy	Nowak	St Germain
Kennelly	Oakar	Staggers
Kildee	Oberstar	Stallings
Kleczka	Obey	Stark
Kolter	Ortiz	Stokes
Kostmayer	Owens (NY)	Stratton
LaFalce	Owens (UT)	Studds
Lagomarsino	Oxley	Synar
Lancaster	Panetta	Tallon
Lantos	Parris	Tauke
Latta	Pashayan	Tauzin
Leach (IA)	Patterson	Thomas (GA)
Leath (TX)	Pease	Torres
Lehman (CA)	Pelosi	Torricelli
Lehman (FL)	Penny	Towns
Leland	Pepper	Traficant
Lent	Perkins	Traxler
Levin (MI)	Petri	Udall
Levine (CA)	Pickett	Upton
Lewis (GA)	Pickle	Valentine
Lipinski	Price	Vander Jagt
Lloyd	Pursell	Vento
Lowry (WA)	Rahall	Visclosky
Luken, Thomas	Rangel	Volkmer
Madigan	Ravenel	Walgren
Manton	Ray	Watkins
Markey	Regula	Waxman
Martin (IL)	Richardson	Weiss
Martin (NY)	Ridge	Wheat
Martinez	Robinson	Whitten
Matsui	Rodino	Williams
Mavroules	Rose	Wise
Mazzoli	Roukema	Wolf
McCloskey	Rowland (CT)	Wolpe
McCurdy	Rowland (GA)	Wortley
McDade	Roybal	Wyden
McEwen	Russo	Wyllie
McGrath	Sabo	Yates
McHugh	Saiki	Yatron
McMillen (MD)	Savage	Young (AK)
Mfume	Sawyer	

NOES—98

Archer	Gallegly	McCollum
Armey	Gallo	McCrery
Badham	Gekas	McMillan (NC)
Baker	Gingrich	Meyers
Ballenger	Gradison	Moorhead
Bartlett	Grandy	Nielson
Baton	Hammerschmidt	Olin
Bateman	Hansen	Packard
Bereuter	Hastert	Payne
Billirakis	Hefley	Porter
Bliley	Herger	Quillen
Bunning	Hiller	Rhodes
Burton	Holloway	Ritter
Callahan	Houghton	Roberts
Chandler	Huckaby	Rogers
Coats	Hunter	Roth
Coble	Hyde	Saxton
Combest	Inhofe	Sensenbrenner
Courter	Ireland	Shaw
Craig	Kolbe	Shumway
Crane	Konnyu	Shuster
Dannemeyer	Lewis (CA)	Skeen
DeLay	Lewis (FL)	Slaughter (VA)
DeWine	Lightfoot	Smith (TX)
DioGuardi	Livingston	Smith, Denny
Dornan (CA)	Lowery (CA)	(OR)
Dreier	Lujan	Smith, Robert
Edwards (OK)	Lukens, Donald	(NH)
Emerson	Lungren	Smith, Robert
Fields	Marlenee	(OR)

Stangeland	Thomas (CA)	Whittaker
Stenholm	Vucanovich	Wilson
Stump	Walker	Young (FL)
Taylor	Weber	

NOT VOTING—31

Bentley	Frost	Roe
Boland	Gregg	Rostenkowski
Bonker	Jones (TN)	Schneider
Boucher	Kemp	Slaughter (NY)
Boulter	Kyl	Sundquist
Boxer	Lott	Sweeney
Bryant	Mack	Swift
Cheney	MacKay	Swindall
Clinger	McCandless	Weldon
Dowdy	Miller (WA)	
Ford (TN)	Rinaldo	

□ 1805

The Clerk announced the following pairs:

On this vote:

Mrs. Boxer for, with Mr. Cheney against.
 Ms. Slaughter of New York for, with Mr. Boulter against.
 Mr. Miller of Washington for, with Mr. Swindall against.

Mr. DANNEMEYER changed his vote from "aye" to "no."

Mr. BROOMFIELD changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on H.R. 387, the bill just passed.

The SPEAKER pro tempore (Mr. HOYER). Is there objection to the request of the gentleman from New York?

There was no objection.

FEDERAL EQUITABLE PAY PRACTICES ACT OF 1988

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent for 3 minutes to address the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. WALKER. Mr. Speaker, reserving the right to object, and I will not object, I just would remind the gentleman that yesterday during the debate when I was trying to make a point here the gentleman did cut me off when I asked for time on the floor which I think does not help the debate process in the House of Representatives. I would hope that maybe in the spirit of comity, we would allow the debate to go forward and not have that kind of incident to happen.

I will not object at this time.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The gentleman from New York is recognized for 3 minutes.

Mr. ACKERMAN. Mr. Speaker, I appreciate the gentleman's point. Let me assure him that it was not my intent yesterday when I objected to his additional request for an extension of time to limit the debate or to impede the orderly processes of the House but it was becoming obvious to a great many Members on both sides of the aisle that there seemed to be a concerted effort, rather than to allow the House to debate, to just extend the day. We were just trying to speed things along.

Mr. Speaker, I yield to the gentleman from Ohio [Ms. OAKAR] sponsor of the legislation just passed who has done an admirable job so that we may have a colloquy.

Ms. OAKAR. First of all, Mr. Speaker, I want to thank the Members for supporting the bill relative to our Federal employees. I was pleased that so many on both sides of the aisle supported the legislation.

The other night tempers were a little higher than normal and I have always believed you can disagree without being disagreeable.

I want to thank Mr. BURTON for not offering the 10 or 15 more amendments that he conceivably could have offered because in the democratic process that is all fair game.

I wanted to say to the gentleman from Indiana [Mr. BURTON] that even though we do not always agree but I do think he is a conscientious member of the Committee on Post Office and Civil Service and I want to thank him for his cooperation.

Mr. ACKERMAN. Mr. Speaker, I yield further to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. I thank the gentleman for yielding.

Yes, Mr. Speaker, we have completed this business. It has been a colorful 2 days. We certainly had tempers flare on both sides. But I think it says something for the Members of the body and the conviction with which they approach these important issues that come before this body. Certainly we have had our resistance out of strong conviction and certainly the proponents of the legislation advanced their case out of strong conviction.

But I have found that once the smokes settles and the smoke clears that, around a cup of coffee or a coke or a pleasant exchange in the hall, we go back to being the kind of gentlemen and gentlewoman that this body tries to foster.

I look forward to more pleasant times in the next few days.

Ms. OAKAR. Mr. Speaker, I want to thank the gentleman for his words

and I agree with them and I thank my distinguished chairman, the gentleman from New York [Mr. ACKERMAN] which I failed to do, for all of his hard work. He has a fantastic staff. Also I wish to pay special tribute to my own staff who have worked very hard on this.

Mr. ARMEY. And thank the Lord we are done with this bill.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4345. An act to amend the United States Grain Standards Act to extend through September 30, 1993, the authority contained in section 155 of the Omnibus Reconciliation Act of 1981 and Public Law 98-469 to charge and collect inspection and weighing fees, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1720) "An act to replace the existing AFDC Program with a new Family Support Program which emphasizes work, child support, and need-based family support supplements, to amend title IV of the Social Security Act to encourage and assist needy children and parents under the new program to obtain the education, training, and employment needed to avoid long-term welfare dependence, and to make other necessary improvements to assure that the new program will be more effective in achieving its objectives."

The message also announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 2846. An act to provide for the awarding of grants for the purchase of drugs used in the treatment of AIDS; and

S. Con. Res. 148. Concurrent resolution to correct technical errors in the enrollment of the bill H.R. 1720.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO SIT TOMORROW, SEPTEMBER 30, 1988, DURING THE 5-MINUTE RULE

Mr. FRANK. Mr. Speaker, with the consent of the minority, I seek permission for the Committee on the Judiciary to meet tomorrow during the 5-minute rule, if we get to the 5-minute rule, for the purpose of discharging the agenda that was begun on Wednesday and suspended for lack of a quorum.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERSONAL EXPLANATION

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, I had the great privilege to join many of my colleagues this morning and early this afternoon to watch the return to space with the launch of the *Discovery* shuttle.

Had I been present for several votes, I would like to note how I would have been recorded: Aye on the adoption of the conference report on H.R. 4784; aye on the rule for considering H.R. 4637; and aye on Mr. OBEY's motion in connection with that bill; and no on Mr. ARMEY's and Mr. BURTON of Indiana's amendment to H.R. 387.

PERSONAL EXPLANATION

Mr. SIKORSKI. Mr. Speaker, I was not here this afternoon because of my observation of the shuttle *Discovery* launch.

Had I been here, I would have voted "yes" on the conference report on H.R. 4784; "yes" on the conference report on H.R. 4587; "yes" on the rule on the conference report on H.R. 4637; "yes" on the motion offered by the gentleman from Wisconsin [Mr. OBEY] on H.R. 4637; and "no" on the amendments offered by Mr. ARMEY and Mr. BURTON of Indiana to H.R. 387.

TRAUMA CARE SYSTEMS PLANNING AND DEVELOPING ACT OF 1988

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 536 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 536

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3133) to amend the Public Health Service Act to improve emergency medical services and trauma care, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule and each section shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Com-

mittee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1815

The SPEAKER pro tempore (Mr. HOYER). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], for the purposes of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 536 is an open rule providing for the consideration of H.R. 3133, the Trauma Care Systems Planning and Development Act of 1988.

The rule provides for one hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce.

The rule further makes in order the Energy and Commerce Committee amendment in the nature of a substitute now printed in the bill as the original text for the purpose of amendment under the 5-minute rule. Each section of the substitute shall be considered as having been read.

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, the purpose of H.R. 3133 is to assist State governments in the development, implementation, and improvement of regional systems of trauma care. The bill is intended to encourage the establishment of designated trauma centers that will have the staff, training, and equipment required to address the special needs of trauma patients.

According to the American College of Surgeons, less than 20 percent of our citizens live in areas served by trauma centers. As a result, each year about 20,000 preventable trauma deaths occur. This legislation will help to develop the trauma care systems needed to save these lives and to reduce the number of permanently disabling injuries.

Mr. Speaker, I am not aware of any objections to the bill, this is open rule, and I would urge my colleagues to adopt it.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, each year approximately 140,000 Americans die because of trauma. In addition, another 80,000 suffer permanent disability due to severe head and spinal cord injuries. It

has been estimated that approximately 15 to 20 percent of trauma deaths and permanently disabling injuries could be prevented if medical treatment were provided in designated trauma centers.

Mr. Speaker, we can all agree on the goal of saving lives. The problem is working out the best way to achieve that goal.

The administration, for example, supports the further development and improvement of trauma care and emergency medical services. However, it opposes enactment of this bill because this bill would create an unnecessary State grant program with strict planning requirements subject to Federal scrutiny.

The administration believes that broad block grant programs are far superior to prescriptive new Federal categorical authorities.

Mr. Speaker, whatever differences there may be with regard to the provisions of the bill, there is nothing wrong with this rule. There are no restrictions on amendments and no waivers of the House rules. Therefore, Mr. Speaker, I will support this rule, so that the House may proceed to debate the Trauma Care Systems Planning and Development Act of 1988.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I appreciate the gentleman's yielding time to me.

Mr. Speaker, this is an example, in my opinion, of the process working. When at this late hour we can bring to the floor an important bill under an open rule—and I expect that we are going to move this bill through this evening—the process works, but it is, I think, well to point out that with this process the Democratic leadership in this House is making known what its priorities are. The scheduling of business on the floor is the power of the Speaker; it is the power of the majority.

Between now and the end of the session we will find out what the majority regards as important, and, more importantly, what it regards as not important, because in this particular case what we have seen is that there is something coming up out of the Committee on Energy and Commerce which is very important, namely, this trauma care bill. That may be. But they are also telling us it is more important than something else that is in the Committee on Energy and Commerce, the Clean Air Act, because we are scheduling this bill, but we have yet to schedule the Clean Air Act. There is absolutely no movement that I can see to bring the Clean Air Act to the floor, and yet here we are with a rule this evening, and instead of talking about the Clean Air Act on the

floor, we are going to talk about this bill.

I would suggest to the House that there are a lot of Members around here, in fact, the majority of the Members of this House, who have said they want a Clean Air Act passed in this session. It is going to be interesting to find out whether or not the majority party is willing to schedule that bill. So far they have not scheduled it.

We are going to pass another rule tonight, and we are going to bring up a bill out of the specific committee that handles clean air. We are going to move that bill here tonight, but it will not be the Clean Air Act.

Mr. Speaker, I hope that we can correct that situation in the next few weeks or in the next couple of weeks and bring the Clean Air Act out and get it passed and get it to the President for signature.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, but I do urge the adoption of the rule and the bill whenever it is presented.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1823

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3133) to amend the Public Health Service Act to improve emergency medical services and trauma care, and for other purposes, with Mr. WOLFE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. WAXMAN] will be recognized for 30 minutes and the gentleman from Illinois [Mr. MADIGAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to present to the House H.R. 3133, the Trauma Care Systems Planning and Development Act.

The principal purpose of this legislation is to reduce death and disability due to injury by assisting States in the development of regional trauma care systems.

Trauma centers perform medical miracles. When President Reagan and his Press Secretary, Jim Brady, were wounded in 1981, it was the trauma center at George Washington Univer-

sity Hospital that rapidly mobilized its medical staff to save their lives. That they are alive today is a tribute to the experience and skill of the medical personnel and the wisdom of the trauma center concept.

We are fortunate in Washington DC, to be surrounded by excellent trauma centers such as George Washington University and the Washington Hospital Center. Unfortunately, the Washington metropolitan area is an exception. The American College of Surgeons has testified before our subcommittee that fewer than 20 percent of the U.S. population resides in areas served by trauma centers. As a result, an estimated 25,000 trauma deaths occur each year unnecessarily.

The decision of a State or community to regionalize its system of trauma care can make the difference between life, death, and permanent disability.

H.R. 3133 provides States incentive grants to assist in the planning and development of regional trauma care systems and the designation of trauma centers. By establishing such systems, and designating trauma centers, committees will stop the dangerous practice of taking seriously injured patients to the closest hospital. Instead, they will transport patients to the hospital with the staff, training, and equipment most appropriate to the patient's needs.

Severely injured patients require swift and highly specialized medical care. The trauma system concept requires that seriously injured patients be transported to designated centers with specialized personnel and equipment on duty 24 hours a day.

H.R. 3133 requires States to develop statewide trauma care systems with particular emphasis upon the unique needs of rural areas. It is essential that in the development of regional systems of trauma care, States take steps to remedy serious deficiencies that exist in the availability of basic EMS and advanced life support services.

I am pleased to report that this legislation enjoys broad support from medical, consumer, and health care organizations. H.R. 3133 is supported by the American Medical Association, American College of Emergency Physicians, American Academy of Pediatrics, and the American Association of Retired Persons.

I am pleased to inform Members that at the appropriate time an amendment will be offered by the distinguished ranking minority member from Illinois, Mr. MADIGAN, which will clarify provisions of the committee reported bill and strengthen provisions to provide trauma care services in rural areas. With the adoption of this amendment the legislation will enjoy broad bipartisan support.

Mr. Chairman, at this time I want to commend the distinguished author of H.R. 3133, Mr. BATES, for his commitment and leadership in the field of trauma care. The gentleman is an active member of the subcommittee and has been instrumental in focusing greater public attention on the need for and the lifesaving benefits of trauma care systems.

I urge support for the legislation.

Mr. MADIGAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I did not support H.R. 3133, the Trauma Care Systems Planning and Development Act of 1988 as reported by the Energy and Commerce Committee. In attempting to enhance State development of emergency medical services systems, I felt this legislation would only create more problems than it could solve. I was concerned about the impact the bill would have on access to patient care, particularly in rural areas.

H.R. 3133 authorizes \$60 million for States to write trauma care plans and to designate trauma centers. The bill requires States to adopt the standards for trauma care developed by the American College of Surgeons [ACS] and the American College of Emergency Physicians. H.R. 3133 also requires States, if they wish to obtain Federal money, to improve their trauma systems, and to designate trauma regions and trauma centers. While it may be appropriate to designate levels of trauma centers, in my view, it is not appropriate to limit the number of trauma centers.

As reported by the committee, this legislation simply puts the hospital in a rigid and untenable situation. Urban and especially rural hospitals are currently under severe financial restraints. Because health care resources vary tremendously from one region of the country to another, giving States some flexibility in determining trauma care standards is vital.

H.R. 3133, as reported by committee, would completely eliminate State flexibility in establishing trauma systems.

Additionally, I was concerned that the bill contained inappropriate and unrealistic authorization levels.

It is my intention to offer an amendment that addresses all of the concerns that I have just noted. I am pleased that the chairman of the Health Subcommittee is willing to agree to this amendment. I appreciate his willingness to accommodate my concerns, and I will be pleased to support the bill upon adoption of my amendment.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from California [Mr. BATES], who is the author of the legislation that is pending.

Mr. BATES. Mr. Chairman, I thank the gentleman from California for yielding this time to me.

Since I introduced H.R. 3133, the Trauma Care Systems Planning and Development Act on August 6, 1987, a lot of people have been actively involved in bringing this bill to the floor today. I want to emphasize the importance of this legislation and I would like to commend my distinguished colleague Mr. WAXMAN, the chairman of the Health and the Environment Subcommittee, for all of his efforts on behalf of this bill. I would also like to commend my distinguished colleague from Illinois, Mr. MADIGAN for his efforts and concern in emergency medical services. I am certainly encouraged by this bipartisan compromise which we have worked out. This legislation will save 20,000 lives per year.

We have a crisis in trauma care in this country. In the past 3 years, 8 of Los Angeles County's 24 designated trauma centers have closed, leaving the region's trauma network near collapse. Yet trauma can largely be prevented. As chairman of the San Diego County Board of Supervisors, we initiated the first comprehensive trauma care system for that county. A recent study in San Diego showed that the trauma death rate fell by 55 percent after the implementation of a trauma care system. My surgical critical care task force, chaired by Dr. Howard Champion, and consisting of such distinguished trauma care experts as Dr. Steven Shackford and Dr. Brent Eastman, strongly supports this Federal legislation.

One hundred forty thousand Americans die from injuries each year—20,000 of them needlessly. Severe injuries are the leading cause of death for those up to the age of 44. Unfortunately the life-saving services of a regional trauma center are unavailable to 80 percent of our constituents. A trauma patient injured in an area serviced by a regional trauma center has a chance for survival nearly double that of a trauma patient treated by a conventional hospital emergency room.

Finally, we know that there is a high injury and death rate from trauma in rural areas because of transportation difficulties, long response time for personnel, and the lack of trauma systems. I would like to commend my colleagues, Mr. RICHARDSON of New Mexico and Mr. COOPER of Tennessee, for their work in this bill. During Energy and Commerce Committee markup on this bill, the committee adopted their amendment that requires participating States to identify rural areas which have no access to emergency medical services through the 911 emergency telephone number.

This measure will allot \$45 million per year for 3 years to the States to develop, implement, and monitor the trauma care component of each

State's emergency medical services. The American College of Surgeons, and the American College of Emergency Physicians, as the recognized leaders in the field of trauma care, have played an important role in the development of this legislation. In addition, the bill has the support of the American Medical Association, the American Association of Retired Persons, and the American Trauma Society.

This bill will help save lives, and I urge its passage.

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Mr. WAXMAN. Mr. Chairman, I yield 4 minutes to the gentleman from New Mexico [Mr. RICHARDSON], an important member of our full Committee on Energy and Commerce who has been a constructive participant in the development of this legislation.

Mr. RICHARDSON. Mr. Chairman, I thank the gentleman from California [Mr. WAXMAN] for the kind words.

I rise in strong support of H.R. 3133, the Trauma Care Improvement Act. H.R. 3133 requires that States develop and implement regional trauma care centers and establishes a block grant program and an advisory council on trauma care systems to implement this mandate.

Mr. Chairman, I would like to quote some shocking statistics: Each year, it is estimated that 140,000 Americans die from trauma or medical injury. In other words, trauma causes 1 death in every 12. More importantly, trauma is the leading cause of death in people up to age 44 and kills more people than all diseases combined in people up to age 34. In addition to human loss and agony, severe injury is also economically costly: We spend \$118 billion each year in medical expenses, insurance, lost wages, and other costs.

For these reasons, I am a strong supporter of provisions in H.R. 3133 requiring States to designate trauma care centers. This requirement will ensure that those who are injured will be transported immediately to a designated center with specialized equipment and more importantly, with personnel trained in the specific needs of trauma care patients.

Unfortunately, many trauma deaths are attributed to a failure to recognize signs of traumatic injury, and furthermore, to a failure to apply standard medical techniques. In other words, greater numbers of trauma victims would survive if medical priorities for the treatment and transportation of trauma victims were in place. H.R. 3133 will eliminate much needless loss of life by requiring States to adopt guidelines to these ends.

Finally, I am pleased H.R. 3133 includes two provisions offered by myself and my distinguished colleague, Mr. COOPER, during committee consideration of this bill. These provi-

sions are designed to address the critical problem of trauma injuries occurring in rural areas of our country. Rural areas have been hardest hit by the Omnibus Budget Reconciliation Act of 1981 which among other things, severely curtailed Federal assistance for emergency medical services. Many rural areas must rely on a single aging ambulance to cover large areas of remote country. In fact, it is estimated that accidental injuries are three times as likely to be fatal if they occur in rural areas. In my estimation, this is an unethical and inequitable situation. Thus, my provision directs the advisory council on trauma care systems to periodically conduct assessments of trauma care needs giving special consideration to the unique needs of rural areas.

I am greatly concerned that the lives of individuals who are injured in remote areas will hang in the balance, dependent upon the whims of State and local politics which are often dominated by urban interests. Thus, our second provision requires that participating States identify those rural areas for which there is currently no access to emergency medical services through the 911 emergency telephone number, and/or no access to basic life-support or advanced-life support systems. Under the provisions of H.R. 3133, States must make plans to incorporate these areas in their emergency medical services plans.

In closing, I commend the sponsor, Mr. BATES and the chairman, Mr. WAXMAN for their excellent work on this much needed legislation.

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Chairman, I want to thank the gentleman from California [Mr. WAXMAN], the chairman, for yielding the time.

Mr. Chairman, 12 days ago, on September 17, I was out on a fitness exercise, which I try to do on weekends, bicycling, when a car swerved into my path from the roadside traveling the wrong way on a street in suburban Bethesda, and at 20 miles per hour on my bike I smashed into the front end of that car, went over the handlebars, onto the hood, into the windshield of that vehicle. I was saved from a more tragic end by a crash helmet that literally saved, if not my life, at least myself from serious spinal damage. The rescue squad was there within 5 minutes, took me safely and responsibly and with consummate professional care, the Bethesda rescue squad, to a nearby hospital where I received all of the treatment, and x rays and examination, and found that there were no broken bones. I had a severe cut under the eye and some tingling numbness in my arm.

Mr. Chairman, I was lucky that that accident happened in an urban setting.

Had it happened in a remote area of my 25,000-square-mile congressional district, I would not have been so fortunate. It would have been a long drive under very painful conditions. Maybe some further injury would have occurred.

I do not speak just on speculation. I know that we have in rural areas twice the death rate from trauma incidents than of large urban metropolitan centers because the distances are greater, the time is greater, to travel from the point and placement of an ambulance to the point of injury, and the travel back is long, and the equipment is not always available, and they do not always have the best facilities. So, the death rate is elevated.

Mr. Chairman, this legislation responds to the needs of rural areas as well as to the needs of urban areas. Just 1 week ago in the city of Duluth, Duluth, MI, drawing from surrounding areas, we have had a celebration of sorts of marking trauma care week where trauma care specialists gathered together to display what can be done, and the services that are available and the need to respond to trauma situations in rural areas. There is concern on the part of some hospitals that designation as a trauma care center would detract from other hospitals in the area, that it would attract business away from other hospitals in the area. That is not the case.

Mr. Chairman, trauma care represents less than 1 percent of the emergency admissions. There is great support for trauma care designation among the people of this country because they know that means longer life and a higher quality of life.

This Member is a recent victim of trauma and is a witness to the need for this legislation, and I strongly support it and the configuration especially in this legislation of focusing resources on rural areas. I commend the members of the committee for bringing this legislation to the floor.

Mrs. COLLINS. Mr. Chairman, one of our many responsibilities as legislators is to learn of problems in American society and then act to alleviate them.

Every year there are an estimate 20,000 to 25,000 deaths in our country which could be avoided. Would this constitute a problem? Certainly. Is anything being done about it? Again, yes, and the solutions are embodied in H.R. 3133, the Trauma Care Systems Planning and Development Act.

Physical trauma is the leading cause of death for Americans under 45 years of age and the third leading cause of death among all Americans. An estimated 140,000 Americans die from trauma each year, and the costs—from medical expenses, lost wages, government expenditures, insurance and property costs—are estimated to be between \$118 and \$135 million each year.

Approximately 20,000 to 25,000 of these deaths are unnecessary and avoidable, attributed to inadequate trauma and emergency care services.

Despite the magnitude of this problem, there is presently no federally coordinated body to assess trauma care needs in the United States, nor is there any direct means for the Federal Government to support the development of trauma care facilities. A national trauma care policy is desperately needed to fill these gaping holes.

The Trauma Care Systems Planning and Development Act makes good sense and is long overdue. The essence of this bill is the creation of a block grant to assist States in the development and operation of regional trauma care centers and emergency medical care facilities. This will encourage States to develop a system whereby the most severely injured patients are transported to designated medical centers with specialized personnel and equipment on duty 24 hours a day, in order to greatly increase the injured person's chances of recovery.

In addition, H.R. 3133 authorizes the Secretary of Health and Human Services to take various actions to promote the advancement of trauma care services, including research, training, demonstration projects, studies and reports. The Secretary would also be authorized to establish an Advisory Council on Trauma Care Systems to assess the country's needs and services relating to trauma care.

Thus, this bill clearly recognizes a national problem and takes clear, well-directed steps toward eliminating that problem. Moreover, it establishes a national policy and assigns responsibility for that policy so that progress in this area can continue in years to come.

Mr. Chairman, the Trauma Care Systems Planning and Development Act represents a very important step in filling the gap in national trauma care policy. As an original cosponsor of H.R. 3133, I strongly urge my colleagues to support this measure.

Mr. ECKART. Mr. Speaker, I rise today in strong support for H.R. 3133, the Trauma Care Improvement Act, which was reported by the Energy and Commerce Committee. Trauma is responsible for 140,000 deaths and over 400,000 injuries every year in the United States. In economic terms, trauma costs our Nation a staggering \$120 billion per year.

Yet, we can act to prevent some of these human and economic costs. This legislation is a step in that direction. According to the General Accounting Office, the current system of lumping emergency medical services funding into preventive health block grants has failed to adequately address the needs of trauma victims. H.R. 3133 would establish a separate block grant

program for EMS services, and would require States to develop organized regional trauma care systems.

The bill also includes provisions I authored which will help protect frontline health care providers—police officers, firefighters, and paramedics—from the spread of infectious diseases in emergencies. Medical facilities will be required to notify emergency personnel when they are at risk of infection from an accident victim. This system parallels that which the House adopted for AIDS in passing H.R. 5142, the AIDS Federal Policy Act, last week. It is important that we expand that system to cover such diseases as hepatitis B, pulmonary tuberculosis, meningitis and others as designated by the Department of Health and Human Services.

Each year, an estimated 300,000 new cases of hepatitis B occur in the United States. Yet, certain diseases such as hepatitis can be transmitted by blood-to-blood contact between a paramedic or firefighter and an accident victim. Emergency workers usually have little or no knowledge of the medical background of accident victims. Currently, there is no system in place to ensure that emergency personnel who may be infected during the line of duty are notified.

Passage of H.R. 3133 will eliminate this inequity, and will help prevent needless deaths due to trauma in this country. I urge my colleagues to support the bill.

Mr. BRUCE. Mr. Chairman, the purpose of H.R. 3133 is to assist State governments in the effort to improve trauma care. Each year an estimated 140,000 Americans die from trauma while another 80,000 suffer permanent disability from severe head and spinal cord injuries. With a better trauma care system we might reduce this toll by 15 to 20 percent.

However, I am afraid that this legislation, as reported to the House would create problems, especially in rural areas. The bill would limit the number of trauma centers to be designated in a State and would set right criteria for those centers. Because health care resources vary tremendously from one region of the country to another, I believe giving States and hospitals flexibility in determining trauma care standards is vital. It is particularly important in rural States because 70 percent of trauma fatalities occur in rural areas.

In addition, the bill as reported, would unfairly distribute the Federal assistance dollars to the detriment of rural areas.

It is my understanding that agreement has been reached on an amendment which would address these important issues. I strongly support leaving to the State the decision of whether to limit the number of trauma centers. In addition, I understand that

the funding systems has been revised to more adequately assist rural areas. Finally, I understand that a process will be established to allow States to seek, from the Secretary of HHS, a waiver from the criteria for setting up trauma centers. I believe these changes greatly improve the legislation and with their adoption I would support H.R. 3133.

Mr. Chairman, I would like to congratulate the sponsor of this legislation, Mr. BATES, the chairman of the subcommittee Mr. WAXMAN, and Mr. MADIGAN, the ranking minority member, for their hard work and dedication in resolving the outstanding concerns with this legislation.

Mr. MADIGAN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield back the balance of our time.

The CHAIRMAN. Pursuant to the rule, the committee amendment in the nature of a substitute, now printed in the reported bill, is considered as an original bill for the purpose of amendment, and each section is considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Trauma Care Systems Planning and Development Act of 1988".

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Federal Government and the governments of the States have established a history of cooperation in the development, implementation, and monitoring of integrated, comprehensive systems for the provision of emergency medical services throughout the United States;

(2) physical trauma is the leading cause of death of Americans between the ages of 1 and 44 and is the third leading cause of death in the general population of the United States;

(3) physical trauma in the United States results in an aggregate annual cost of \$135,000,000,000 in medical expenses, insurance, administrative costs, property damage, and indirect costs (including more than an annual \$31,000,000,000 in lost wages of individuals who are in their most productive work years); and

(4) the number of incidents of physical trauma in the United States is a serious medical and social problem, and the number of deaths resulting from such incidents can be substantially reduced by improving the trauma-care components of the systems for the provision of emergency medical services in the United States.

Mr. WAXMAN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a

substitute be printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to their request of the gentleman from California?

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

SEC. 3. ESTABLISHMENT OF PROGRAMS WITH RESPECT TO TRAUMA CARE.

The Public Health Service Act (42 U.S.C. 201 et seq.) is amended by inserting after title XI the following new title:

"TITLE XII—TRAUMA CARE

"PART A—GENERAL AUTHORITY AND DUTIES OF SECRETARY

"SEC. 1201. ESTABLISHMENT.

"(a) IN GENERAL.—The Secretary shall—

"(1) conduct and support research, training, evaluations, and demonstration projects with respect to trauma care systems;

"(2) foster the development of appropriate, modern trauma care systems through the sharing of information among agencies and individuals involved in planning, furnishing, and studying such services and care;

"(3) collect, compile, and disseminate information on the achievements of, and problems experienced by, State and local agencies and private entities in providing trauma care;

"(4) provide to State and local agencies technical assistance relating to trauma care systems; and

"(5) sponsor workshops and conferences on trauma care.

"(b) GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS.—The Secretary may make grants, and enter into cooperative agreements and contracts, for the purpose of carrying out subsection (a).

"SEC. 1202. ADVISORY COUNCIL ON TRAUMA CARE SYSTEMS.

"(a) ESTABLISHMENT.—The Secretary shall establish an advisory council to be known as the Advisory Council on Trauma Care Systems.

"(b) DUTIES.—The Council shall—

"(1) periodically conduct assessments of the needs in the United States with respect to trauma care, including special consideration of the unique needs of rural areas, and the extent to which the States are responding to such needs;

"(2) submit to the Secretary the findings made as a result of such assessments; and

"(3) advise the Secretary with respect to activities carried out under this title.

"(c) MEMBERSHIP.—

"(1) The Secretary shall appoint to the Council 12 appropriately qualified representatives of the public who are not officers or employees of the United States. Of such members—

"(A) 4 shall be individuals experienced or specially trained in trauma surgery (including a critical care nurse);

"(B) 3 shall be individuals experienced or specially trained in emergency medicine;

"(C) 1 shall be an individual experienced or specially trained in the care of injured children;

"(D) 1 shall be an individual experienced or specially trained in physical medicine and rehabilitation; and

"(E) 3 shall be individuals experienced or specially trained in the development, administration, or financing of trauma care systems.

"(2) The Secretary may designate as *ex officio* members of the Council appropriately qualified representatives of the Department of Health and Human Services, the Department of Transportation, the Federal Emergency Management Agency, and such other agencies of the Federal Government as the Secretary determines to have functions affecting emergency medical services.

"(d) TERMS.—

"(1) Except as provided in paragraph (2), members of the Council appointed under subsection (c)(1) shall serve for a term of 4 years.

"(2) Of the members first appointed to the Council under subsection (c)(1), the Secretary shall appoint 4 members to serve for a term of 4 years, 4 members to serve for a term of 3 years, and 4 members to serve for a term of 2 years.

"(e) VACANCIES.—

"(1) Any member of the Council appointed under subsection (c)(1) to fill a vacancy occurring before the expiration of the term of the predecessor of the member shall be appointed for the remainder of the term of the predecessor.

"(2) A member of the Council appointed under subsection (c)(1) may continue to serve after the expiration of the term of the member until a successor is appointed.

"(f) CHAIRPERSON.—The Secretary, or the designee of the Secretary, shall serve as chairperson of the Council.

"(g) MEETINGS.—The Council shall meet at the call of the chairperson and shall meet not less than once each 3 months.

"(h) COMPENSATION AND REIMBURSEMENT OF EXPENSES.—

"(1) Members of the Council who are officers or employees of the United States may not receive compensation for service on the Council in addition to the compensation otherwise received for duties carried out as such officers or employees.

"(2) Members of the Council appointed under subsection (c)(1) shall receive compensation for each day (including travel-time) engaged in carrying out the duties of the Council. Such compensation may not be in an amount in excess of the maximum rate of basic pay payable for GS-18 of the General Schedule.

"(i) STAFF.—The Secretary shall provide to the Council such staff, information, and other assistance as may be necessary to carry out the duties of the Council.

"(j) TERMINATION.—Notwithstanding section 14(b) of the Federal Advisory Committee Act, the Council shall continue in existence until otherwise provided by law after the date of the enactment of the Trauma Care Systems Planning and Development Act of 1988.

"PART B—GRANTS WITH RESPECT TO MODIFICATIONS OF STATE PLANS

"SEC. 1211. ESTABLISHMENT OF PROGRAM.

"(a) REQUIREMENT OF ALLOTMENTS FOR STATES.—Subject to section 1232(c), the Secretary shall for each fiscal year make an allotment for each State in an amount determined in accordance with section 1219. The Secretary shall make payments each fiscal year to each State from the allotment for the State if the Secretary approves for the fiscal year involved an application submitted by the State pursuant to section 1218.

"(b) PURPOSE OF ALLOTMENTS.—The Secretary may not make payments under subsection (a) to a State for a fiscal year unless the State agrees that, with respect to the trauma-care component of the State plan for the provision of emergency medical services, the payments will be expended only for the

purpose of developing, implementing, and monitoring the modifications to such component described in section 1213.

"SEC. 1212. REQUIREMENT OF MATCHING FUNDS FOR FISCAL YEARS SUBSEQUENT TO FISCAL YEAR 1989.

"(a) IN GENERAL.—

"(1) The Secretary may not make payments under section 1211(a) unless the State involved agrees, with respect to the costs to be incurred by the State in carrying out the purposes described in section 1211(b), to make available non-Federal contributions (in cash or in kind under subsection (b)) toward such costs in an amount equal to—

"(A) for fiscal year 1990, not less than \$1 for each \$1 of Federal funds provided in payments from the allotment for such fiscal year; and

"(B) for each fiscal year subsequent to fiscal year 1990, not less than \$3 for each \$1 of Federal funds provided in payments from the allotment for each such fiscal year.

"(2) With respect to an allotment under section 1211(a) for a State for fiscal year 1989, the Secretary may not require the State to make non-Federal contributions as a condition of receiving payments from the allotment.

"(b) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—Non-Federal contributions required in subsection (a) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

"SEC. 1213. REQUIREMENTS WITH RESPECT TO CARRYING OUT PURPOSE OF ALLOTMENTS.

"(a) STATE PLAN.—The Secretary may not make payments under section 1211(a) for a fiscal year unless the State involved agrees to develop, implement, and monitor, in accordance with this section, modifications to the trauma-care component of the State plan for the provision of emergency medical services. With respect to such component, the State plan will be modified—

"(1) to specify that the modifications required pursuant to paragraphs (2) through (10) will be implemented by the principal State agency with respect to emergency medical services or by the designee of such agency;

"(2) to specify the public or private entity that will designate trauma care regions and trauma centers in the State;

"(3) to contain standards and requirements for the designation of trauma centers (including trauma centers with specified capabilities and expertise in the care of the pediatric trauma patient) by such entity, including standards and requirements for—

"(A) the number and types of trauma patients for whom such centers must provide care in order to ensure that such centers will have sufficient experience and expertise to be able to provide quality care for victims of injury;

"(B) the resources and equipment needed by such centers; and

"(C) the availability of rehabilitation services for trauma patients;

"(4) to contain standards and requirements for the implementation of regional trauma care systems, including standards and guidelines for medically directed triage and transportation of trauma patients prior to care in designated trauma centers;

"(5) to contain standards and requirements for medically directed triage and transport of severely injured children to des-

ignated trauma centers with specified capabilities and expertise in the care of the pediatric trauma patient;

"(6) to specify procedures for the accreditation and evaluation of designated trauma centers (including trauma centers described in paragraph (4)) and trauma care systems;

"(7) to provide for the establishment in the State of a central data reporting and analysis system for—

"(A) identifying severely injured trauma patients within regional trauma care systems in the State;

"(B) identifying the cause of the injury and any factors contributing to the injury;

"(C) for identifying the nature and severity of the injury; and

"(D) for monitoring trauma patient care (including prehospital care) in each designated trauma center within regional trauma care systems in the State (including relevant emergency-department discharges and rehabilitation information);

"(8) to provide for the use of procedures by paramedics and emergency medical technicians to assess the severity of the injuries incurred by trauma patients;

"(9) to provide for the use of appropriate transportation and transfer policies to ensure the delivery of patients to designated trauma centers and other facilities within and outside of the jurisdiction of such system, including policies to ensure that only individuals appropriately identified as trauma patients are transferred to designated trauma centers;

"(10) to provide for the conduct of public education activities concerning injury prevention and obtaining access to trauma care; and

"(11) with respect to the requirements established in paragraphs (2) through (10), to provide assurances of coordination and cooperation between the State and any other State with which the State shares any standard metropolitan statistical area.

"(b) CERTAIN STANDARDS WITH RESPECT TO TRAUMA CARE CENTERS AND SYSTEMS.—The Secretary may not make payments under section 1211(a) for a fiscal year unless the State involved agrees that, in carrying out paragraphs (3) and (4) of subsection (a), the State will adopt guidelines for the designation of trauma centers, and for triage, transfer, and transportation policies, equivalent to the applicable guidelines developed by the American College of Surgeons and by the American College of Emergency Physicians.

"SEC. 1214. REQUIREMENT OF ANNUAL REPORT BY DESIGNATED TRAUMA CENTERS.

"The Secretary may not make payments under section 1211(a) for a fiscal year unless the State involved agrees to require each designated trauma center in the State to provide to the emergency medical system of the State each fiscal year a report that—

"(1) specifies the number of trauma patients cared for by such facility during the fiscal year;

"(2) specifies the total number of inpatient hospital days used by such patients during the fiscal year; and

"(3) describes the diagnoses, treatment, and treatment outcomes for such patients.

"SEC. 1215. REQUIREMENT OF PROVISION OF CERTAIN INFORMATION TO SECRETARY.

"(a) INFORMATION RECEIVED BY STATE REPORTING AND ANALYSIS SYSTEM.—The Secretary may not make payments under section 1211(a) for a fiscal year unless the State involved agrees that the State will, not less than once each year, provide to the Secre-

tary the information received by the State pursuant to section 1213(a)(7).

"(b) AVAILABILITY OF EMERGENCY MEDICAL SERVICES IN RURAL AREAS.—The Secretary may not make payments under section 1211(a) for a fiscal year unless—

"(1) the State involved identifies any rural area in the State for which—

"(A) there is no system of access to emergency medical services through the telephone number 911;

"(B) there is no basic life-support system; or

"(C) there is no advanced life-support system; and

"(2) the State submits to the Secretary a list of rural areas identified pursuant to paragraph (1) or, if there are no such areas, a statement that there are no such areas.

"SEC. 1216. RESTRICTIONS ON USE OF PAYMENTS.

"(a) IN GENERAL.—The Secretary may not, except as provided in subsection (b), make payments under section 1211(a) for a fiscal year unless the State involved agrees that the payments will not be expended—

"(1) for any purpose other than developing, implementing, and monitoring the modifications required by section 1213(a) to be made to the State plan for the provision of emergency medical services;

"(2) to make cash payments to intended recipients of services provided pursuant to the such section;

"(3) to purchase or improve real property (other than minor remodeling of existing improvements to real property) or to purchase major medical or communication equipment, ambulances, or aircraft;

"(4) to satisfy any requirement for the expenditure of non-Federal funds as a condition for the receipt of Federal funds; or

"(5) to provide financial assistance to any entity other than a public or nonprofit private entity.

"(b) EXCEPTION.—If the Secretary finds that the purpose described in section 1211(b) cannot otherwise be carried out, the Secretary may, with respect to an otherwise qualified State, waive the restriction established in subsection (a)(3).

"SEC. 1217. REQUIREMENT OF REPORTS BY STATES.

"(a) IN GENERAL.—The Secretary may not make payments under section 1211(a) for a fiscal year unless the State involved agrees to prepare and submit to the Secretary an annual report in such form and containing such information as the Secretary determines (after consultation with the States and the Comptroller General of the United States) to be necessary for—

"(1) securing a record and a description of the purposes for which payments received by the State pursuant to such section were expended and of the recipients of such payments; and

"(2) determining whether the payments were expended in accordance with the purpose of the program involved.

"(b) AVAILABILITY TO PUBLIC OF REPORTS.—The Secretary may not make payments under section 1211(a) unless the State involved agrees that the State will make copies of the report described in subsection (a) available for public inspection.

"(c) EVALUATIONS BY COMPTROLLER GENERAL.—The Comptroller General of the United States shall, from time to time, evaluate the expenditures by States of payments under section 1211(a) in order to assure that expenditures are consistent with the provisions of the program involved.

"SEC. 1218. REQUIREMENT OF SUBMISSION OF APPLICATION CONTAINING CERTAIN AGREEMENTS AND ASSURANCES.

"The Secretary may not make payments under section 1211(a) to a State for a fiscal year unless—

"(1) the State submits to the Secretary an application for the payments containing agreements in accordance with sections 1211(b) through section 1217;

"(2) the agreements are made through certification from the chief executive officer of the State;

"(3) with respect to such agreements, the application provides assurances of compliance satisfactory to the Secretary;

"(4) the application contains the information required to be submitted to the Secretary pursuant to section 1215(b)(2); and

"(5) the application otherwise is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this part.

"SEC. 1219. DETERMINATION OF AMOUNT OF ALLOTMENT.

"(a) MINIMUM ALLOTMENT.—Subject to the extent of amounts made available in appropriations Acts, the amount of an allotment under section 1211(a) for a State for a fiscal year shall be the greater of—

"(1) \$250,000; and

"(2) an amount determined under subsection (b).

"(b) DETERMINATION UNDER FORMULA.—The amount referred to in subsection (a)(2) is the product of—

"(1) an amount equal to the amount made available under section 1232(b)(2) for the fiscal year involved; and

"(2) a percentage equal to the quotient of—

"(A) an amount equal to the population of the State involved, as indicated by the most recent data collected by the Bureau of the Census; divided by

"(B) an amount equal to the population of the United States, as indicated by the most recent data collected by the Bureau of the Census.

"(c) DISPOSITION OF CERTAIN FUNDS APPROPRIATED FOR ALLOTMENTS.—

"(1) Amounts described in paragraph (2) shall, in accordance with paragraph (3), be allotted by the Secretary to States receiving payments under section 1211(a) for the fiscal year (other than any State referred to in paragraph (2)(C)).

"(2) The amounts referred to in paragraph (1) are any amounts made available pursuant to 1232(b)(2) that are not paid under section 1211(a) to a State as a result of—

"(A) the failure of the State to submit an application under section 1218;

"(B) the failure, in the determination of the Secretary, of the State to prepare within a reasonable period of time such application in compliance with such section; or

"(C) the State informing the Secretary that the State does not intend to expend the full amount of the allotment made for the State.

"(3) The amount of an allotment under paragraph (1) for a State for a fiscal year shall be an amount equal to the product of—

"(A) an amount equal to the amount described in paragraph (2) for the fiscal year involved; and

"(B) the percentage determined under subsection (b)(2) for the State.

"SEC. 1220. FAILURE TO COMPLY WITH AGREEMENTS.

"(a) REPAYMENT OF PAYMENTS.—

"(1) The Secretary may, in accordance with subsection (b), require a State to repay any payments received by the State pursuant to section 1211(a) that the Secretary determines were not expended by the State in accordance with the agreements required to be made by the State as a condition of the receipt of payments under such section.

"(2) If a State fails to make a repayment required in paragraph (1), the Secretary may offset the amount of the repayment against any amount due to be paid to the State under section 1211(a).

"(b) OPPORTUNITY FOR A HEARING.—Before requiring repayment of payments under subsection (a)(1), the Secretary shall provide to the State an opportunity for a hearing.

"SEC. 1221. PROHIBITION AGAINST CERTAIN FALSE STATEMENTS.

"(a) IN GENERAL.—

"(1) A person may not knowingly make or cause to be made any false statement or representation of a material fact in connection with the furnishing of items or services for which payments may be made by a State from amounts paid to the State under section 1211(a).

"(2) A person with knowledge of the occurrence of any event affecting the right of the person to receive any payments from amounts paid to the State under section 1211(a) may not conceal or fail to disclose any such event with the intent of fraudulently securing such amount.

"(b) CRIMINAL PENALTY FOR VIOLATION OF PROHIBITION.—Any person who violates a prohibition established in subsection (a) may for each violation be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

"SEC. 1222. TECHNICAL ASSISTANCE AND PROVISION BY SECRETARY OF SUPPLIES AND SERVICES IN LIEU OF GRANT FUNDS.

"(a) TECHNICAL ASSISTANCE.—The Secretary shall, without charge to a State receiving payments under section 1211(a), provide to the State (or to any public or nonprofit private entity designated by the State) technical assistance with respect to the planning, development, and operation of any program or service carried out pursuant to section 1211(b). The Secretary may provide such technical assistance directly, through contract, or through grants.

"(b) PROVISION BY SECRETARY OF SUPPLIES AND SERVICES IN LIEU OF GRANT FUNDS.—

"(1) Upon the request of a State receiving an allotment under section 1211(a), the Secretary may, subject to paragraph (2), provide supplies, equipment, and services for the purpose of aiding the State in carrying out section 1211(b) and, for such purpose, may detail to the grantee any officer or employee of the Department of Health and Human Services.

"(2) With respect to a request described in paragraph (1), the Secretary shall reduce the amount of payments to the State under section 1211(a) by an amount equal to the fair market value of any supplies, equipment, or services provided by the Secretary and shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

"SEC. 1223. REPORT BY SECRETARY.

"Not later than October 1, 1990, the Secretary shall report to the Congress on the activities of the States carried out pursuant to section 1211. Such report may include any recommendations of the Secretary for appropriate administrative and legislative initiatives.

"PART C—GENERAL PROVISIONS

"SEC. 1231. DEFINITIONS.

"For purposes of this title:

"(1) The term 'Council' means the Advisory Council on Trauma Care Systems established pursuant to section 1202(a).

"(2) The term 'designated trauma center' means a trauma center designated in accordance with the modifications to the State plan described in section 1213.

"(3) The term 'plan for the provision of emergency medical services' means a plan for a comprehensive, organized system to provide for the access, response, triage, field stabilization, transport, hospital stabilization, definitive care, and rehabilitation of patients of all ages with respect to emergency medical services.

"(4) The term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(5) The term 'trauma-care component of the plan for the provision of emergency medical services' means a plan for a comprehensive health care system for the prompt recognition, prehospital care, emergency medical care, acute surgical and medical care, rehabilitation, and outcome evaluation of seriously injured patients.

"SEC. 1232. FUNDING.

"(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this title, there is authorized to be appropriated \$60,000,000 for each of the fiscal years 1989 through 1991.

"(b) ALLOCATION OF FUNDS BY SECRETARY.—

"(1) For the purpose of carrying out part A, the Secretary shall make available 10 percent of the amounts appropriated for a fiscal year pursuant to subsection (a).

"(2) For the purpose of making allotments under section 1211(a), the Secretary shall, subject to subsection (c), make available 90 percent of the amounts appropriated for a fiscal year pursuant to subsection (a).

"(c) EFFECT OF INSUFFICIENT APPROPRIATIONS WITH RESPECT TO ALLOTMENTS.—

"(1) If the amounts made available pursuant to subsections (a) and (b)(2) are insufficient for providing, in accordance with section 1219(b), each State with an allotment under section 1211(a) of not less than \$250,000, the Secretary shall, from such amounts as are made available pursuant to such subsections, make grants to the States for carrying out the purpose described in section 1211(b).

"(2) Paragraph (1) may not be construed to require the Secretary to make a grant under such paragraph to each State.

"PART D—EMERGENCY RESPONSE EMPLOYEES

"SEC. 1241. DEVELOPMENT OF GUIDELINES AND MODEL CURRICULUM WITH RESPECT TO EMERGENCY RESPONSE EMPLOYEES AND INFECTIOUS DISEASES.

"(a) IN GENERAL.—Not later than 90 days after the effective date of this section, the Secretary, acting through the Director of the Centers for Disease Control, shall develop guidelines and a model curriculum for emergency response employees with respect to the prevention of exposure to infectious diseases during the process of responding to emergencies.

"(b) INCLUSION OF CERTAIN INFORMATION.—The guidelines and the model curriculum developed under subsection (a) shall, to the extent practicable, include—

"(1) information with respect to the manner in which infectious diseases are transmitted; and

"(2) information that can assist emergency response employees in distinguishing between conditions in which such employees are at risk with respect to such diseases and conditions in which such employees are not at risk with respect to such diseases.

"(c) APPOINTMENT OF TASK FORCE.—The Secretary shall establish a task force to assist the Secretary in developing the guidelines and the model curriculum required in subsection (a). The Secretary shall appoint to the task force representatives of the Centers for Disease Control, representatives of State governments, and representatives of emergency response employees.

"(d) DISSEMINATION OF INFORMATION.—The Secretary shall—

"(1) transmit to State public health officers copies of the guidelines and the model curriculum developed under subsection (a) with the request that such officers disseminate such copies as appropriate throughout the State; and

"(2) make such copies available to the public.

"SEC. 1242. NOTIFICATION OF EMERGENCY RESPONSE EMPLOYEES WITH RESPECT TO INFECTIOUS DISEASES.

"(a) ROUTINE NOTIFICATION OF DESIGNATED OFFICER.—The Secretary may not make payments under section 1211(a) unless the State involved agrees to establish the following requirements for medical facilities:

"(1) If a victim of an emergency is transported by emergency response employees to a medical facility and the medical facility makes a determination that the victim has an infectious disease, the medical facility must, with respect to the determination, notify the designated officer of the emergency response employees who transported the victim to the medical facility.

"(2) If a victim of an emergency is transported by emergency response employees to a medical facility and the victim dies at or before reaching the medical facility, the medical facility ascertaining the cause of the death of the victim must, with respect to the designated officer of the emergency response employees who transported the victim to the initial medical facility, notify the designated officer of any determination by the medical facility that the victim had an infectious disease.

"(3) With respect to a determination described in paragraph (1) or (2), the notification required in each of such paragraphs must be made not later than 48 hours after the determination is made.

"(b) NOTIFICATION UPON REQUEST OF DESIGNATED OFFICER.—The Secretary may not make payments under section 1211(a) unless the State involved agrees to establish the following requirements for medical facilities:

"(1) If a victim of an emergency is transported by emergency response employees to a medical facility, the medical facility must, upon the request of the designated officer of any emergency response employees who attended, assisted, or transported the victim, notify the designated officer of any determination by the medical facility that the victim has an infectious disease.

"(2) If a victim of an emergency is transported by emergency response employees to a medical facility and the victim dies at or before reaching the medical facility, the medical facility ascertaining the cause of the death of the victim must, upon the request of the designated officer of any emergency response employees who attended, assisted, or transported the victim, notify the designated officer of any determination by the medical facility that the victim had an infectious disease.

"(3)(A) A medical facility must make a notification required in paragraph (1) or (2) not later than 48 hours after receipt of a request pursuant to the paragraph involved if, prior to the request, a determination de-

scribed in such paragraph has been made by the medical facility.

"(B) A medical facility must make a notification required in paragraph (1) or (2) not later than 48 hours after making a determination described in the paragraph involved if, after receipt of a request pursuant to such paragraph, the determination is made.

"(c) PROCEDURES FOR NOTIFICATION OF DESIGNATED OFFICER.—The Secretary may not make payments under section 1211(a) unless the State involved agrees to establish the following requirements for medical facilities, with respect to paragraphs (1) and (2)(A), and for designated officers of emergency response employees, with respect to paragraph (2)(B):

"(1) In making a notification required under subsection (a) or (b), a medical facility must provide the date on which the victim of the emergency involved was transported by emergency response employees to a medical facility and, upon request, the location at which such emergency occurred (including, to the extent practicable, the address of the location).

"(2) If a notification under subsection (a) or (b) is mailed or otherwise indirectly made—

"(A) the medical facility sending the notification must, upon sending the notification, inform the designated officer to whom the notification is sent of the fact that the notification has been sent; and

"(B) such designated officer must, not later than 10 days after being informed by the medical facility that the notification has been sent, inform such medical facility whether the designated officer has received the notification.

"(d) DESIGNATION OF INDIVIDUALS TO REQUEST AND RECEIVE NOTIFICATIONS FROM MEDICAL FACILITIES.—The Secretary may not make payments under section 1211(a) unless the State involved agrees as follows:

"(1) The public health officer of each State will, for the purpose of requesting and receiving notifications under subsections (a) and (b), and for the purpose of carrying out subsection (c), designate 1 official or officer of each employer of emergency response employees in the State.

"(2) In making designations required in paragraph (1), a public health officer will give preference to individuals who are trained in the provision of health care or in the control of infectious diseases.

"(e) NOTIFICATIONS TO EMPLOYEES.—The Secretary may not make payments under section 1211(a) unless the State involved agrees to establish the following requirements for designated officers of emergency response employees:

"(1) After receiving a notification under subsection (a) or (b), a designated officer of emergency response employees must, to the extent practicable, immediately notify each of such employees who—

"(A) responded to the emergency involved; and

"(B) as indicated by the guidelines and the model curriculum developed by the Secretary under section 1241(a), may have been exposed to an infectious disease.

"(2) A designated officer of emergency response employees must, upon request of such an employee—

"(A) determine whether, if a victim of an emergency to which the employee responded had an infectious disease, the employee might have been exposed to the disease; and

"(B) make a request described in subsection (b) if, as indicated by a determination made pursuant to subparagraph (A), the em-

employee might have been exposed to the infectious disease.

"(3) A notification under this subsection to an emergency response employee must inform the employee involved of—

"(A) the fact that the employee may have been exposed to an infectious disease;

"(B) the name of the infectious disease;

"(C) any action by the employee that, as indicated by the guidelines and model curriculum developed by the Secretary under section 1241(a), is medically appropriate; and

"(D) if medically appropriate under such guidelines and model curriculum, the location of the emergency involved and the date and time of such emergency.

"(f) LIMITATION.—The Secretary may not make payments under section 1211(a) unless the State involved agrees that subsections (a)(1) and (b)(1) will not apply to any determination described in such subsections made with respect to a victim of an emergency after the expiration of the 60-day period beginning on the date that the victim is transported by emergency response employees to a medical facility.

"(g) RULES OF CONSTRUCTION.—The Secretary may not make payments under section 1211(a) unless the State involved agrees as follows:

"(1) This section will not, with respect to victims of emergencies, be construed to authorize or require a medical facility to test any such victim for any infectious disease.

"(2) This section will not be construed to authorize or require any medical facility, any designated officer of emergency response employees, or any such employee, to make disclosures with respect to the identity of a victim if such disclosures are prohibited under the law of the State or under Federal law.

"(h) ENFORCEMENT.—The Secretary may not make payments under section 1211(a) unless the State involved agrees to establish enforcement provisions, including injunctive relief and a civil cause of action for damages, with respect to violations of the requirements established by the State pursuant to this section.

"(i) DEFINITIONS.—The Secretary may not make payments under section 1211(a) unless the State involved agrees that, for purposes of this section, the following definitions will apply:

"(1) The term 'emergency' means an emergency involving injury or illness.

"(2) The term 'emergency response employees' means firefighters, law enforcement officers, paramedics, and other individuals (including employees of legally organized and recognized volunteer organizations, without regard to whether such employees receive nominal compensation) who, in the course of professional duties, respond to emergencies in the geographic area involved.

"(3) The term 'employer of emergency response employees' means an organization that, in the course of professional duties, responds to emergencies in the geographic area involved.

"(4)(A) Except as provided in subparagraph (B), the term 'infectious disease' means hepatitis B, hepatitis non-A/non-B, pulmonary tuberculosis, meningococcal meningitis, rubella, and any other disease designated under guidelines issued by the Secretary as an infectious disease for purposes of this section.

"(B) The term 'infectious disease' does not include any condition arising from infection with the etiologic agent for acquired immune deficiency syndrome."

SEC. 4. REQUIREMENT OF CERTAIN STUDIES RELATING TO TRAUMA CARE.

(a) MEDICAID POLICIES OF STATES.—The Secretary of Health and Human Services (hereafter in this section referred to as the "Secretary") shall conduct a study for the purpose of determining the policies adopted by States in reimbursing trauma centers pursuant to title XIX of the Social Security Act (42 U.S.C. 1396 et seq.). The study shall assess the adequacy and appropriateness of the reimbursements provided pursuant to such title by States to such centers and shall include recommendations with respect to whether the requirements imposed under such title should be modified in order to ensure that such centers are appropriately reimbursed.

(b) LONG-TERM ECONOMIC EFFECTS OF TRAUMA.—The Secretary shall conduct a comprehensive multidisciplinary study of the long-term economic effects of incidences of trauma in the United States. In conducting the study, the Secretary shall—

(1) consult with the Advisory Council on Trauma Care Systems (established pursuant to section 1202(a) of the Public Health Service Act, as added by section 3 of this Act); and

(2) utilize the services of individuals with expertise in appropriate fields (including epidemiology, statistics, behavioral sciences, and health economics) in order to identify and evaluate as many factors as possible that influence the impact and long-term outcome of a trauma incident.

(c) TIME FOR COMPLETION.—The Secretary shall, not later than 1 year after the effective date of this Act, complete the studies required in subsections (a) and (b) and submit to the Congress a report describing the findings made as a result of the studies.

SEC. 5. CERTAIN REQUIREMENTS WITH RESPECT TO COMMUNICATION NEEDS OF EMERGENCY MEDICAL SERVICES.

(a) IN GENERAL.—The Federal Communications Commission shall—

(1) complete a study of the availability of spectra allocations and radio frequencies for emergency medical services communications between ambulances and hospitals, including both public and private ambulances and hospitals;

(2) establish a plan to ensure that the needs of emergency medical services communications shall be adequately provided for in the assignment of spectra allocations and radio frequencies;

(3) with respect to any State responsibilities under such plan, develop information relating to the manner in which the States should carry out such responsibilities, including information relating to the types of equipment that should be utilized and information relating to general operating procedures; and

(4) make such information available to appropriate State officials.

(b) TIME FOR COMPLETION.—The Federal Communications Commission shall, not later than 1 year after the effective date of this Act, complete the study required in paragraph (1) of subsection (a) and submit to the Congress a report describing—

(1) the findings made as a result of the study;

(2) the plan required in paragraph (2) of such subsection; and

(3) the information required in paragraph (3) of such subsection.

SEC. 6. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect October 1, 1988, or upon the date of the enactment of this Act, whichever occurs later.

AMENDMENT OFFERED BY MR. MADIGAN

Mr. MADIGAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MADIGAN: Page 11, line 10, insert after "patients" the following: "(including patients injured in rural areas)".

Page 13, after line 15, add the following new subsections:

"(c) WAIVER OF CERTAIN STANDARDS. —

"(1) The Secretary may, with respect to any guideline required to be adopted by a State pursuant to subsection (b), waive the requirement for a State if—

"(A) the State, acting through the principal State agency with respect to emergency medical services, submits to the Secretary an application for the waiver, including a statement of the facts upon which the State justifies the request for the waiver; and

"(B) the Secretary determines that granting the waiver will not result in the diminishment of the availability or quality of trauma care in the State.

"(2) The Secretary may grant a waiver under paragraph (1) only after—

"(A) providing notice to the public that the State involved is applying for the waiver;

"(B) soliciting and considering comments from the public with respect to the application for the waiver; and

"(C) permitting the public not less than a 30-day period in which to respond to the solicitation for such comments, which period shall commence on the day after the Secretary provides the notice required in subparagraph (A).

"(3) The notice and the solicitation of comments required in paragraph (2) shall be made through publication in the Federal Register.

"(d) RULE OF CONSTRUCTION WITH RESPECT TO NUMBER OF DESIGNATED TRAUMA CENTERS.—With respect to compliance with subsection (a) as a condition of the receipt of a grant under section 1211(a), such subsection may not be construed to specify the number of trauma care centers designated pursuant to such subsection.

Page 18, line 6, strike "\$250,000" and insert "\$500,000".

Page 23, line 15, insert after "system" the following: ", within rural and urban areas of the State,".

Page 23, line 23, strike "\$60,000,000" and insert "\$45,000,000".

Page 24, line 15, strike "\$250,000" and insert "\$500,000".

Page 34, strike line 21 and all that follows through page 35, line 10.

Page 35, line 11, strike "(c)" and insert "(b)".

Page 35, line 13, strike "studies" and all that follows through "(b)" and insert the following: "study required in subsection (a)".

Page 35, line 15, strike "studies" and insert "study".

Mr. MADIGAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MADIGAN. Mr. Chairman, my amendment addresses the four areas

of concern about H.R. 3133 that I voiced in my opening statement—the impact on access to care in rural areas, the limitation on the number of designated centers, the lack of State flexibility and excessive authorization levels.

Specifically, my amendment addresses these problems by: First, increasing the minimum allotment a State can receive from \$250,000 to \$500,000 and requiring that the standards for designated trauma centers include standards for the triage and transportation of trauma patients injured in rural areas. Both of these new provisions will improve access to trauma services in rural areas; second, including a provision stating that this legislation may not be construed to specify the number of trauma care centers that a State may designate under this act; third, providing authority for the Secretary to waive compliance with regard to the standards for designated trauma centers for a State if the Secretary determines that granting the waiver will not result in the diminishment of the availability or quality of trauma care in the State; and fourth, decreasing the authorization levels from \$60 million for each of fiscal years 1989–91 to \$45 million.

I urge my colleagues to adopt my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MADIGAN].

The amendment was agreed to.

Mr. SMITH of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just rise in support of this bill and to tell the Members of this body that this is something that is very sorely needed.

In my own area in south Florida we have attempted to work out a trauma network, and it has been unfortunately a very fragmented and very difficult thing to do, and I wanted to acknowledge publicly the gentleman from Florida [Mr. LEHMAN] from Dade County who has done phenomenal work in this area. After putting together a trauma network, it just collapsed because of the problems inherent in the system: Insurance problems, crisis problems and the number of same problems which are mirrored all over this country and affect the capability of providing trauma care which is a grave concern to many parts of the country. Certainly it is in south Florida.

I rise in strong support of this bill, and I hope this body will adopt it.

Mr. DANNEMEYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to make an observation about this bill. I have been privileged to hear the debate. I have served on the subcommittee where it was considered. I have no quarrel with

a recitation of the need for this legislation; that case has been made.

The question is: Where are we going to get the money? The proponents of this legislation are silent on that. They come forward with this new need that has been identified in an eloquent way, and then they say, "Dig it up somewhere."

Mr. Chairman, we are increasing the indebtedness of the U.S. Government in this fiscal year by \$243 billion. This Nation will have added three-quarters of a trillion dollars to its national debt in this fiscal year, the next one and the last one.

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The major item that is missing in this legislation on the part of the proponents is where the money is going to come from. Given the huge deficit that this country now deals with everyday, every week, every month, every year, in the era where proponents of yet new programs as a part of improving the lot of all of us have a duty to say where the money is going to come from. They have the duty to say that some existing program with less priority is to abate or remit enough to finance this one. That proposal is not forthcoming from the proponents of this legislation. We are just going to dig \$45 million more into the hole. I do not think that is a responsible way for this body to be legislating.

I do not intend to ask for a rollcall vote on this matter because I have no doubt in my mind, given the philosophical bias of the 100th Congress, which way the rollcall would go.

We cannot develop the resistance for any new spending program that comes along, let alone one as meritorious as improving the health care needs of people for emergency care, whatever their circumstance is in life; but sometime, somewhere, we are going to have to develop the courage to provide the money for these new programs that come along, as meritorious as they may be.

Mr. TAUKE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I simply want to join with those who are supporting this legislation because I believe it is so important to the delivery of health care services in rural America. In many rural areas, including my own State of Iowa, the delivery of trauma care services is a top priority, and with the adoption of the Madigan amendment, this legislation will do a lot to improve the delivery of those services in the rural part of our Nation.

So I commend the gentleman from Illinois and others who are making it possible for us to consider this legislation this evening.

The CHAIRMAN. Are there any further amendments? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. OBERSTAR] having assumed the chair, Mr. WOLFE, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 3133) to amend the Public Health Service Act to improve emergency medical services and trauma care, and for other purposes, pursuant to House Resolution 536, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3133, TRAUMA CARE SYSTEMS PLANNING AND DEVELOPMENT ACT OF 1988

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3133, the Clerk be authorized to make corrections in section numbers, cross-references, punctuation, and indentations and to make other technical and conforming changes necessary to reflect the actions of the House in amending the bill, H.R. 3133, the Trauma Care Systems Planning and Development Act of 1988.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, on H.R. 3133, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CONFERENCE REPORT ON H.R. 4776, DISTRICT OF COLUMBIA APPROPRIATIONS, 1989

Mr. DIXON submitted the following conference report and statement on the bill (H.R. 4776) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989, and for other purposes:

CONFERENCE REPORT (H. REPT. 100-1010)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4776) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 8, 10, 11, 13, 14, 18, and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 9, 16, and 17, and agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$32,040,000; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$623,924,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 6, 12, 15, 19, 21, 22, 23, 24, 25, 26, 27, 28, and 29.

JULIAN C. DIXON,
WILLIAM H. NATCHER
(except amendment
No. 15),

LOUIS STOKES,
LES AU COIN,
WES WATKINS,
STENY H. HOYER,
JAMIE L. WHITTEN,
LAWRENCE COUGHLIN,
BILL GREEN,
RALPH REGULA,
SILVIO O. CONTE,

Managers on the Part of the House.

TOM HARKIN,
FRANK R. LAUTENBERG,
(except amendment
No. 15),

HARRY REID,
JOHN C. STENNIS,
DON NICKLES,
CHUCK GRASSLEY,
MARK O. HATFIELD,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R.

4776) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the actions agreed upon by the managers and recommended in the accompanying conference report.

TITLE I—FISCAL YEAR 1989 APPROPRIATIONS

Amendment No. 1: Inserts title and fiscal year heading to separate fiscal year 1989 appropriations from supplemental appropriations for fiscal year 1988.

FEDERAL PAYMENT FOR WATER AND SEWER SERVICES

Amendment No. 2: Appropriates \$32,040,000 instead of \$36,726,000 as proposed by the House and \$27,130,000 as proposed by the Senate. The amount agreed to by the conferees is based on revised estimates submitted by District officials. The conferees note that the President's budget had proposed that the District bill the individual Federal agencies for these services. In denying that request and providing the lump sum payment, the conferees do not express unequivocal opposition to the proposal. However, in an April 1987 letter, the General Accounting Office stated that the proposal was contrary to existing law, and that the District has no statutory authority to bill or to accept payments from agencies. The conferees would encourage the relevant committees to consider the proposed request to change the statute. If such legislation is enacted during the fiscal year, the Committees on Appropriations will consider a request to adjust the amount provided.

CRIMINAL JUSTICE INITIATIVE

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following: *Provided*, That construction may not commence unless access and parking for construction vehicles are provided solely at a location other than city streets: *Provided further*, That District officials meet monthly with neighborhood representatives to inform them of current plans and discuss problems: *Provided further*, That the District of Columbia shall operate and maintain a free, 24-hour telephone information service whereby residents of the area surrounding the new prison, can promptly obtain information from District officials on all disturbances at the prison, including escapes, fires, riots, and similar incidents: *Provided further*, That the District of Columbia shall also take steps to publicize the availability of that service among the residents of the area surrounding the new prison.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language agreed to by the conferees requires the District government to take certain steps to mitigate the impact of the proposed new prison on the surrounding neighborhood in Southeast Washington. The conferees have deleted the proviso requiring access and egress on other than 19th Street, Southeast, and the proviso that required a portion of the old D.C. jail site to become a neighborhood shopping center.

PUBLIC SAFETY AND JUSTICE

Amendment No. 4: Appropriates \$734,207,000 as proposed by the Senate instead of \$735,528,000 as proposed by the House.

Metropolitan Police Department—The conference action appropriates \$207,157,000 as proposed by the House instead of \$207,407,000 as proposed by the Senate. The conferees have not approved the increase of \$250,000 proposed by the Senate. These funds would have been used in cooperation with Federal authorities to mount a drug interdiction initiative at the District's Lorton Correctional Complex. This matter is discussed under amendment number 5.

Superior Court—The conference action provides \$54,646,000 and 1,173 positions as proposed by the Senate instead of \$52,680,000 and 1,137 positions as proposed by the House. The increase of \$1,966,000 and 36 positions above the House allowance will fund mandatory pay increases and provide needed staff and resources for various divisions in the Superior Court.

Court System—The conference action provides \$20,080,000 and 80 positions as proposed by the Senate instead of \$19,875,000 and 75 positions as proposed by the House. The increase of \$205,000 consists of \$47,000 to fund two existing positions in the Equal Employment Opportunity program, \$94,000 and five positions for a pilot test of a court-manned security force and \$64,000 for liability insurance for the District's judicial officers.

SECURITY AND MAINTENANCE OF COURT BUILDINGS

The increase of \$94,000 will fund five positions and will permit the court system to pilot test a court-manned supplemental security force. Court officials have testified that they continue to experience severe security problems which they have reported for several years, and instead of improving, the situation has deteriorated. Court officials further reported that the security and maintenance services provided by the District's Department of Administrative Services have not been satisfactory.

Because of these problems, court officials have repeatedly requested the transfer of these responsibilities and the applicable funding to the court. For whatever reasons, this has not been accomplished.

Testimony from court officials indicates that the Department of Administrative Services' responsibility for these services, if properly performed, would be acceptable to the courts. However, in light of the continued dissatisfaction with the obviously less than satisfactory service, the conferees recommend funding a small supplemental security force and evaluating the courts' ability to accomplish improved security in the buildings it occupies.

JUDICIAL INDEMNITY INSURANCE

An increase of \$64,000 is provided for professional liability insurance. This increase is unnecessary except for the fact that the Council of the District of Columbia has not yet completed action on legislation amending the D.C. Code to ensure appropriate liability coverage for judicial employees comparable to that provided for medical employees under D.C. Code, sec. 1-1215(b). The need for this legislation results from the liability exposure created by the Supreme Court decision in the case of *Pulliam v. Allen* (1984) 104 S. Ct. 1970. This issue was first called to the attention of District officials in House Report 99-223 dated July 24,

1985. The report stated that "... the Committee urges the Mayor and Council to pursue the expedited passage of legislation amending the D.C. Code to ensure appropriate coverage for judicial employees thereby eliminating the need for funds to cover insurance premiums in fiscal year 1986."

That was over three years ago. The conferees are deeply concerned with what appears to be inaction on a seemingly innocuous bill that is simply good government as well as cost effective.

Department of Corrections.—The conference action provides \$193,855,000 instead of \$197,347,000 as proposed by the House and \$193,605,000 as proposed by the Senate. The reduction of \$3,492,000 below the House allowance will provide \$29,496,000 for the Federal Bureau of Prisons payment instead of \$32,988,000 as proposed by the House and \$29,246,000 as proposed by the Senate.

DRUG INTERDICTION TASK FORCE

Amendment No. 5: Deletes language proposed by the Senate concerning the use of funds proposed under amendment number 4 for the drug interdiction task force at the Lorton, Virginia prison complex. The conferees have agreed to delete the \$250,000 proposed by the Senate under amendment number 4 for use by the Metropolitan Police Department to establish a drug interdiction task force at the Lorton, Virginia prison complex.

The conferees are concerned, however, that the flow of illicit drugs into the Lorton complex remains a serious problem and may contribute to instability and disturbances at the prison. The conferees direct the District of Columbia government to focus increased resources and effort on drug enforcement activities at Lorton.

The conferees further direct the District of Columbia government to proceed with the establishment of a drug interdiction task force. The District of Columbia Government should seek funding, as appropriate, from other Federal programs such as those being established as part of the omnibus drug legislation presently being considered by the Congress and/or use available funds to pay for police salaries, transportation, communications, drug testing services and equipment, and related expenses necessary to establish and operate a task force at Lorton and throughout the District of Columbia prison system.

The conferees believe that such a task force could greatly reduce the flow of drugs into Lorton and thus help prevent more serious problems. Therefore, the conferees direct the District of Columbia government to report to the Committees on Appropriations of the House and Senate, not later than January 15, 1989, on the effort being made to establish the task force, obtain funding, and on the severity of the drug problem at Lorton and throughout the prison system.

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that the staffing levels of two-piece engine companies within the Fire Department shall be maintained in accordance with the Fire Department's Rules and Regulations until final adjudication by the relevant courts.

PUBLIC EDUCATION SYSTEM

Amendment No. 7: Appropriates \$623,924,000 instead of \$623,424,000 as proposed by the House and \$623,981,000 as proposed by the Senate. The increase of

\$500,000 above the House allowance is for the Very Special Arts Program founded in 1974 as an educational affiliate of the John F. Kennedy Center for the Performing Arts. The program is dedicated to enriching the lives of people with disabilities through the arts, music, dance, drama, creative writing and the visual arts. These funds will be used to provide interpreters, ramps, needed medical coverage, accessible transportation equipment and signage services in support of the International Very Special Arts Festival scheduled to be held in Washington, D.C. in June 1989.

The conferees have not approved \$57,000 proposed by the Senate for the Civil Air Patrol. This matter is discussed under amendment number 8.

Amendment No. 8: Allocates \$452,403,000 for the public schools of the District of Columbia as proposed by the House instead of \$452,460,000 as proposed by the Senate. The reduction of \$57,000 below the Senate allocation reflects the deletion of funds intended for the establishment of a Civil Air Patrol Cadet Program within the District of Columbia Public Schools. This is done without prejudice to the program, and the conferees hope that the Board of Education will seriously consider any proposal from the Civil Air Patrol to establish this program in the D.C. school system.

The Cadet Program is an activity for young men and women between the ages of 13 and 21 years old. The basic program includes training in leadership, aerospace education, moral leadership, and physical fitness. Under the leadership of CAP senior members, cadets progress through a series of structured achievements earning military type promotions in grade. The Cadet Program provides its participants a forum in which they are challenged to perform and rewarded when they do.

Programs such as the Civil Air Patrol Cadet Program are of great value in providing worthwhile activities for youth during the hours after school as a method of combating the temptation of drug abuse.

Public Schools.—The conferees are concerned about what the Mayor has described as a crisis of values particularly among school-age children in the District of Columbia. This crisis manifests itself in the apparent insensitivity of youth to the specter of violence and drug use and where being victimized is viewed simply as part of growing up. In response to this type of crisis the Board of Education has established a Values Commission that is to report to the Board on a program that could be implemented in all schools and all grades.

This Commission is a fine first step in recognizing a fundamental problem in our current culture. However, the job will not be completed when the report is received and the program implemented. The conferees hope that the School Board will examine its own operations to ensure that they are sending the proper message to students through their own actions and deeds.

In addition, the conferees hope that the Commission will take into consideration the message that is received by students when the D.C. Public School system ranks last in teacher salaries in the region and by the deteriorated condition of the schools themselves. The conferees are aware that these are not easy questions to address, nor will they be inexpensive to correct, but students will judge our commitment to these goals by our adherence to the principles we establish.

Supplemental budget needs.—The conferees are aware of the financial needs of the

District of Columbia Public Schools and the possible shortfall of \$13,000,000 in the proposed fiscal year 1989 budget. The new Superintendent testified that he hopes that the Mayor will propose and the District Council will enact a supplemental budget that will fully fund the needs of the public schools. The conferees direct that the Board of Education transmit to the Committees on Appropriations of the Senate and House of Representatives its estimate of needed supplemental funding at the same time this request is transmitted to the Mayor.

This request is made so that the Committees can be kept apprised of the budgetary situation in the D.C. Public Schools and not as a promise to fund all amounts requested. The Board of Education should continue to be mindful of possible administrative savings and is requested to detail in its transmittal the steps it has taken that could mitigate the final amount needed.

Amendment No. 9: Allocates \$4,192,000 for the Commission on the Arts and Humanities as proposed by the Senate instead of \$3,692,000 as proposed by the House. The increase of \$500,000 above the House allowance is for the Very Special Arts Program discussed under amendment number 7.

HUMAN SUPPORT SERVICES

Amendment No. 10: Appropriates \$744,901,000 as proposed by the House instead of \$745,665,000 as proposed by the Senate.

Department of Human Services.—The conference action provides \$616,555,000 as proposed by the House instead of \$617,319,000 as proposed by the Senate. The conferees have deleted the \$264,000 proposed by the Senate for a pilot project which would have provided housing and supportive services for mentally disabled mothers. The conferees do so without prejudice to the merits of such a program and encourage the Commission on Mental Health to assess the magnitude of the need in the District of Columbia and report to the Committees on Appropriations of the Senate and House of Representatives not later than December 31, 1988. This report should include the number of such mothers in the District as well as information on how these mothers and infants are currently cared for in the District.

The Committees will consider a supplemental or reprogramming request as early in fiscal year 1989 as the Commission on Mental Health and District government deem appropriate. The conferees have not approved the additional \$500,000 proposed by the Senate for Project Volta. An appropriation of \$990,000 was included in the District's fiscal year 1988 appropriations act for this project. The conferees have included bill language under "Human Support Services" in amendment number 29 making the \$990,000 available solely for Project Volta and extending the availability of those funds until expended.

The conferees are concerned about cuts in the Handicapped Infant Intervention Project (HIIP). This is a program, similar to Project Volta in approach, which provides for early intervention for handicapped infants and toddlers up to age three. This is done through screening of high risk newborn infants for early recognition of mental retardation, minimal brain damage, and overall delay in development skills. The conferees share the concern expressed by others that without this program, deafness in many infants might go undetected and intervention might not occur. The conferees

hope that ways can be found to minimize the impact of reductions on this program.

The conferees direct that \$36,000 be disbursed within 15 days of the enactment of this Act to the Samaritans of Washington, a nonprofit, nonsectarian largely volunteer tax-exempt organization which operates a round-the-clock hotline to serve persons who are in despair or contemplating suicide. Since the Samaritans' hotline became operational in February 1986 the number of calls has increased from 300 a month to as many as 2,500 a month. The Samaritans' phones are staffed by 45 trained volunteers who are on duty approximately 1,500 hours each month. The cost effectiveness of this program is obvious.

Amendment No. 11: Deletes language proposed by the Senate concerning the payment of funds under amendment number 10 to Project Volta. The conferees did not approve the additional \$500,000 proposed by the Senate for this project under amendment number 10.

PUBLIC WORKS

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, amended to read as follows:

In lieu of the matter proposed by said amendment insert the following: *Provided further, That the Taxicab Commission shall report to the Committees on Appropriations of the Senate and House of Representatives by January 15, 1989 on a plan as outlined in Senate Report 100-162 to issue and implement regulations including but not limited to the age of vehicles, frequency of inspection, and cleanliness of vehicles*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees remain concerned about the pace of progress of the Taxicab Commission in reaching the goals set out in last year's conference report (House Report 100-498). At that time the conferees requested the submission of a report and stated: "This report should include a timetable for consideration of a fair, equitable, non-discriminatory fare structure based on time and mileage; consideration of taxicab vintage; a review of driver standards; a review of methods to provide better monitoring of the industry including the possibility of monthly insurance stickers; and a policy on the types of permitted radio operations."

The conferees are aware of the report of September 1, 1988 by the Taxicab Commission to the Committees which outlines plans for many of the items mentioned in last year's conference report. The conferees are pleased to note that some progress is being made, and continue to strongly believe that all of the information that the Commission should require ought to be available at this time. The conferees also strongly believe that the Commission, after receiving public comment, should take final action not later than January 1, 1989 on a vintage standard as well as on the other matters contained in the September 1, 1988 report, and report the results of that action to the Committees by January 15, 1989. In addition, the Commission is requested to include in its report a schedule for consideration of the other items mentioned in the above directive, including the frequency of taxicab inspections, the age of vehicles used as cabs, the condition of heating and air-conditioning systems, and the cleanliness of vehicles.

The conferees are also aware that the Commission intends to contract for a wide-

ranging study of the taxicab industry in the Nation's Capital. The conferees support this effort; however, the conferees are concerned about the length of time the study is proposed to take. One of the stated purposes of the study is to gather information about the economics of the industry to aid in setting rates. I does not seem that this data would be required to make a determination on whether or not the current zone fare system should be replaced by a system of meters. This is an important first step in progressing to a regional uniform taxicab system where fares are uniform and trip origin and destination barriers are removed.

MOTOR TRUCK SAFETY

The conferees note with concern that the District has not become a member of the Motor Carrier Safety Assistance Program (MCSAP). Currently, over 50 of 56 eligible jurisdictions are involved in this program which provides grants to jurisdictions which adopt the Federal Motor Carrier Safety Regulations and Hazardous Materials Regulations and provide their police with sufficient authority to enforce these regulations.

Currently, the District does not have the capacity to enforce regulations governing truck safety and the transportation of hazardous materials. The conferees note that the MCSAP program has been extremely successful in other jurisdictions, increasing annual roadside inspections of trucks from 30,000 in 1984 to over one million this year, and an expected 1.5 million in fiscal year 1989.

The MCSAP program provides Federal funds for training and hiring personnel and would be a direct benefit to the motoring public. By becoming a member of the MCSAP program, the District would greatly enhance the regional effort to ensure that trucks operating in the Washington Metropolitan Region are operating safely.

Accordingly, the conferees strongly encourage the District to join the MCSAP program and adopt local regulations and laws necessary to enforce the program. The conferees direct the District to report back to the House and Senate Committees on Appropriations no later than March 1, 1989, on the status of the District's efforts.

INAUGURAL EXPENSES

The conferees direct that \$80,000 of the \$2,300,000 appropriated for expenses that the District government expects in connection with the upcoming Presidential inauguration be allocated to the D.C. National Guard for expenses that it incurs in connection with the inauguration activities.

CAPITAL OUTLAY

Amendment No. 13: Appropriates \$138,336,000 as proposed by the House instead of \$148,336,000 as proposed by the Senate. The conferees have not approved the increase of \$10,000,000 proposed by the Senate to finance the construction of the Federal City Communications Center on the campus of Catholic University.

Amendment No. 14: Deletes language proposed by the Senate concerning the availability of funds under amendment number 13 for the Federal City Communications Center. The conferees did not approve the funds proposed by the Senate under amendment number 13.

GENERAL PROVISIONS

Amendment No. 15: Reported in disagreement.

Amendment No. 16: Deletes language proposed by the House and stricken by the Senate concerning the expenditure of funds

in any workplace that is not free of illegal use or possession of controlled substances. The conferees strongly agree with the intent of the provision included by the House. However, the conferees have agreed to strike this language since this issue was addressed on a government-wide basis in Section 628 of the conference report for the Treasury-Postal Service and General Government Appropriations Act, 1989 (H.R. 4775; H. Rept. 100-881, pp. 33-34). Section 628 of that Act (Public Law 100-440) covers the District of Columbia as well as all Federal entities.

Amendment No. 17: Deletes language proposed by the House and stricken by the Senate concerning the District's residency requirement for employees. This matter is addressed under amendment number 24.

Amendment No. 18: Deletes language proposed by the Senate which would have provided a Federal loan guarantee in an amount not to exceed \$20,000,000 to the Washington Center, a nonprofit corporation, for the construction of an educational housing facility.

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 135. (a) Section 11-1563(d), D.C. Code is amended—

(A) by inserting "or while receiving retirement salary under this subchapter but before having recouped all contributions," before "the lump-sum credit for retirement"; and

(B) by inserting "or the balance after deduction of retirement salary paid prior to death, if applicable," before "shall be paid,".

(b) The Mayor within 30 days after the enactment of this Act, shall engage an enrolled actuary, to be paid by the District of Columbia Retirement Board, and shall comply fully with the requirements of section 142(d) and section 144(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122, D.C. Code, secs. 1-722(d) and 1-724(d)).

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment agreed to by the conferees changes the section number and makes a technical correction to D.C. Code, sec. 11-1563(d) concerning the refund of retirement withholdings to judges of the District of Columbia courts. Currently, if a judge who has not elected to participate in the Survivor Annuity Program dies while in active service, the contributions made by the judge to the retirement system are returned to the named beneficiary or the judge's estate. In those cases where a retired judge has not yet recouped the contributions prior to death, there is no provision for a named beneficiary or the estate to recoup the remaining portion of the contributions. The language in Senate amendment number 19 corrects this inequity. The language also requires the Mayor to engage an enrolled actuary to determine the financial effects of this change on the retirement fund and to comply fully with sections 142(d) and 144(d) of Public Law 96-122.

Amendment No. 20: Deletes language proposed by the Senate concerning the qualification requirements for retirement benefits for persons serving in the position of Executive Officer of the District of Columbia

Courts. The proposed language sought to clarify the treatment for the Executive Officer of the District of Columbia Courts under circumstances where the Officer is involuntarily removed from office. Section 11-1703(c) of the District of Columbia Code states that "The Executive Officer shall receive the same compensation as an associate judge of the Superior Court."

The conferees ask that the courts bring back this proposal with a fuller explanation of the need for such clarification.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 136. (a) Within 30 days after the date of enactment of this Act, the United States, acting through a duly authorized official, shall convey to the District of Columbia without consideration, all right, title, and interest of the United States, in the real property described in subsection (b) (and any improvements thereon).

(b) The real property referred to in subsection (a) is that property (commonly known as the District of Columbia Employment Security Building at 500 C Street, Northwest) located in the District of Columbia in Square 491 described in a deed from the District of Columbia to the United States dated April 20, 1961, and recorded on April 26, 1961, as instrument number 11232 in liber 11589, folio 135 of the District of Columbia.

(c) If for any reason the District of Columbia should dispose of the real property described in subsection (b) (and any improvements thereon), such disposition shall be in accordance with procedures established by the Federal Department of Labor as are applicable to any of the 50 states.

Sec. 137. Section 147 of the Surface Transportation and Uniform Reallocation Assistance Act of 1987 (Public Law 100-17, approved April 2, 1987) is repealed.

Sec. 138. Notwithstanding Section 110 of this Act, appropriations in this Act shall not be available, during the fiscal year ending September 30, 1989, for the compensation of any person appointed to a permanent position in the District of Columbia government during any month in which the number of employees exceeds 38,512, the number of positions authorized by this Act.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action inserts language to transfer title of the District's Employment Security Building located at 500 C Street, NW, to the District government. The General Accounting Office, in response to a request from the House and Senate Committees on Appropriations as to how ownership of title to the District's Employment Security Building might equitably be handled if the District were treated as if it were a state under the employment security program, has sent the Committees a letter dated September 14, 1988 stating that the building was paid for from appropriations for employment security grants, and that this use of the grants was consistent with the use of such grants by other states. The letter from the General Accounting Office further states that an official of the Federal Department of Labor told them that the District's Employment Security Building is the only instance they were aware of wherein a state did not hold legal title to similar employment services program property.

The site was originally titled to the District of Columbia and was transferred to the Federal government in April 1961 at no cost. It should be noted that before the District received Home Rule in 1973, the Federal government provided a myriad of municipal services to the District. In a letter dated January 29, 1959 from Robert E. McLaughlin, President of the Board of Commissioners of the District of Columbia, to James E. Dodson, Administrative Assistant Secretary of the Federal Department of Labor, Mr. McLaughlin, in outlining the conditions of the site transfer, stated "... it is hoped that this structure will ultimately become District property ..." (see letter submitted for the record in hearings on the District's fiscal year 1989 budget held on May 10, 1988, before the House Subcommittee on District of Columbia Appropriations, part 1, pp. 410-411).

The conferees have also included language in subsection (c) to ensure that the District abides by procedures established by the Federal Department of Labor in the event the District disposes of the property. These procedures were developed by the Federal Department of Labor for the disposal of facilities used in the various States' Employment Security Agencies Program (SESA). It is the express intent of the conferees that the District of Columbia be treated in the same manner as any of the 50 states.

The conferees have also approved a new section 137 which repeals Section 147 of Public Law 100-17, the Surface Transportation and Uniform Reallocation Assistance Act of 1987. Section 147 was included by the House as part of Public Law 100-17 when the Commonwealth Transportation Board, Commonwealth of Virginia refused to make certain adjustments in the High Occupancy Vehicle (HOV) restrictions on the I-95/I-395 facilities (the Shirley Highway express lanes)—adjustments which would have improved the ingress/egress of the high volume of traffic moving in and out of Washington, D.C. The conferees have been advised that an agreement has since been reached with the Commonwealth Transportation Board whereby in return for repeal of Sec. 147, the state will lower HOV requirements from four persons per vehicle to three persons per vehicle; will keep open to all traffic the Pentagon HOV-lanes access ramp (Ramp G) for as long as is practical; will maintain the current 6:00 p.m. time at which the express lanes are open to all traffic; and will institute certain improvements in HOV-restriction enforcement procedures and programs. These changes will go into effect in January 1989. The language agreed to by the conferees has been cleared with the chairman and ranking member of the Subcommittee on Surface Transportation of the House Committee on Public Works and Transportation.

The conferees have also approved a new section 138 which increases the employment ceiling in section 110 from 38,471 to 38,512. The increase of 41 reflects the changes for the D.C. Superior Court and the Court System agreed to by the conferees.

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 139. (a) Up to 118 officers or members of the Metropolitan Police Department who were hired before February 14, 1980, and who retire on disability before the end of

calendar year 1989 shall be excluded from the computation of the rate of disability retirement under subsection 145(a) of the District of Columbia Retirement Reform Act, as amended, approved September 30, 1983 (97 Stat. 727; D.C. Code, sec. 1-725(a)), for purposes of reducing the authorized Federal payment to the District of Columbia Police Officers and Fire Fighters' Retirement Fund pursuant to subsection 145(c) of the District of Columbia Retirement Reform Act.

(b) The Mayor, within 30 days after the enactment of this Act, shall engage an enrolled actuary, to be paid by the District of Columbia Retirement Board, and shall comply with the requirements of section 142(d) and section 144(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122, D.C. Code, secs. 1-722(d) and 1-724(d)).

(c) If any of the 118 light duty positions that may become vacant under subsection (a) are filled, a civilian employee shall be hired to fill that position.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action allows for the retirement of not to exceed 118 police officers and states that their retirements are to be excluded from the computation of the rate of disability retirement under subsection 145(a) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122). This rate of disability retirements is used to determine whether to reduce the authorized Federal payment to the Police Officers and Firefighters' Retirement Fund. Testimony from the Mayor and the Chief of Police indicated that a number of officers are in a limited or light duty status or on extended sick leave. The police chief stated that it is important to replace these individuals with able-bodied police officers who can perform on the street.

Prior to the enactment of subsection 145(a) of Public Law 96-122, there was concern that the District's retirement system was being abused with excessive disability retirements. In some years, disability retirements accounted for 99 percent of all police and fire retirements. In order to address the situation, the Congress approved subsection 145(a) as part of the District's Retirement Reform Act to provide some incentive to District managers to reduce the percentage of disability retirements. The conferees believe the District has responded favorably and has included this language which will allow these individuals to retire without reducing the authorized Federal payment to the retirement funds and will permit the Metropolitan Police Department to hire police officers to fill the vacated positions. The conferees direct that these retirements, while exempt from the computation of the rate of disability retirements, be subject to all of the rules and regulations of the District's Board of Surgeons as well as the Policemen and Firemen's Retirement and Relief Board and meet all of the criteria for retirement.

The language agreed to by the conferees requires the Mayor to engage an enrolled actuary to determine the financial effects of this change on the retirement fund and to comply fully with sections 142(d) and 144(d) of Public Law 96-122. The language also requires that if any of the 118 positions that may become vacant because of retirements under subsection (a) are filled, a civilian employee shall be hired to fill that position. The objective of this section is to ensure that the objectives of the Mayor and the

Metropolitan Police Chief to hire more able bodied officers for street duty are carried out.

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows for the operation of a home for the dying poor, including those with AIDS. The conference action is consistent with a unanimous ruling by the District's five-member Board of Zoning Adjustment on September 7, 1988, which granted the home a zoning exemption so that it can operate as a community residential facility. This action by the conferees will ensure the continued operation of this much-needed facility for homeless AIDS patients at no cost to District taxpayers.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 141. (a) If by May 1, 1989, the District of Columbia government has not adopted, and implemented no later than September 30, 1989, a preference system that does not preclude the hiring of noncity residents, none of the funds provided or otherwise made available by this Act may be used to pay the salary or expenses of any officer, employee, or agent who is engaged in implementing, administering, or enforcing a District of Columbia residency requirement with respect to employees of the Government of the District of Columbia.

(b) After the date of enactment of this section, the District shall not dismiss any employees currently facing adverse job action for failure to comply with the residency requirement.

The managers on the part of the Senate will offer a motion to concur in the amendment of the House to the amendment of the Senate.

The conference action requires the District to adopt by May 1, 1989, and to implement by September 30, 1989, a hiring preference system that allows for the hiring of non-city residents as proposed by the Senate. The conferees have also agreed to prohibit the use of any funds, rather than just Federal funds as proposed by the Senate, to implement, administer or enforce the residency law if either the date for adoption or the date for implementation is not met. The conferees have also agreed to language which prohibits the District from dismissing any employees for failure to comply with the residency requirement.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate requiring that all fiscal year 1989 pay raises be absorbed within the levels appropriated in this Act. With the adoption of this language, there will not be any additional Federal funds appropriated to finance any pay raises that the District government may provide to employees during fiscal year 1989. This provision applies only to Federal funds and does not apply to local District funds which are not included in the Federal scorekeeping process.

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 143. None of the Federal funds appropriated by this Act shall be obligated or expended after December 31, 1988, if on that date the District of Columbia has not repealed District of Columbia Law 6-170, the Prohibition of Discrimination in the Provision of Insurance Act of 1986 (D.C. Law 6-170), or amended the law to allow testing for the human immunodeficiency virus as a condition for acquiring all health, life and disability insurance without regard to the face value of such policies. Eligibility for coverage and premium costs shall be determined in accordance with ordinary practices.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language agreed to by the conferees prohibits the use of Federal funds by the District government after December 31, 1988, if the District has not repealed D.C. Law 6-170, the Prohibition of Discrimination in the Provision of Insurance Act of 1986, or adopted amendments to the Act to allow the testing of individuals as a basis for purchasing all health, life and disability insurance without regard to the face value of the policy. It also provides that eligibility for coverage and premium costs will be determined in accordance with ordinary practices.

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which requires the mandatory reporting of individual abortions for statistical purposes.

Amendment No. 28: Reported in disagreement.

TITLE II—FISCAL YEAR 1988 SUPPLEMENTAL APPROPRIATIONS DISTRICT OF COLUMBIA FUNDS

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of the matter proposed by said amendment, insert the following:

TITLE II—FISCAL YEAR 1988 SUPPLEMENTAL APPROPRIATIONS DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT (INCLUDING RESCISSION)

For an additional amount for "Governmental direction and support", \$2,168,000: Provided, That of the funds appropriated under this heading for fiscal year 1988 in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c); 101 Stat. 1329-91 to 1329-92), \$3,525,000 are rescinded.

ECONOMIC DEVELOPMENT AND REGULATION (INCLUDING RESCISSION)

For an additional amount for "Economic development and regulations", \$143,000: Provided, That of the funds appropriated under this heading for fiscal year 1988 in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c); 101 Stat. 1329-92), \$15,779,000 are rescinded.

PUBLIC SAFETY AND JUSTICE (INCLUDING RESCISSION)

For an additional amount for "Public safety and justice", \$33,253,000: Provided, That of the funds appropriated under this heading for fiscal year 1988 in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-

202, sec. 101(c); 101 Stat. 1329-92 to 1329-93), \$2,000 are rescinded.

PUBLIC EDUCATION SYSTEM (INCLUDING RESCISSION)

For an additional amount for "Public education system", \$13,900,000 which shall be allocated for the public schools of the District of Columbia: Provided, That of the funds appropriated under this heading for fiscal year 1988 in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c); 101 Stat. 1329-93 to 1329-94), \$210,000 for the District of Columbia School of Law, \$549,000 for the Public Library, and \$355,000 for the Commission on the Arts and Humanities are rescinded.

HUMAN SUPPORT SERVICES (INCLUDING RESCISSION)

For an additional amount for "Human support services", \$24,467,000: Provided, That of the funds appropriated under this heading for fiscal year 1988 in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c); 101 Stat. 1329-94), \$8,578,000 are rescinded: Provided further, That an additional \$2,545,000, to remain available until expended, shall be available solely for the District of Columbia employees' disability compensation: Provided further, That the \$990,000 appropriated in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c)) shall be solely for Project Volta and shall remain available until expended: Provided further, That \$746,054 in funds made available to the District of Columbia pursuant to the Employment Security Administrative Financing Act of 1954, approved August 5, 1954 (68 Stat. 668; 42 U.S.C. 1103), shall be appropriated for the purpose of providing \$39,210 towards the purchase of an optical character reader and \$706,844 to pay unemployment insurance staff salaries and benefits: Provided further, That the \$746,054 referred to in the preceding proviso shall be withdrawn and expenses incurred after the enactment date of this Act and shall not be available for obligation after the close of a 12-month period which begins on the date of the enactment of this Act.

PUBLIC WORKS (INCLUDING RESCISSION)

For an additional amount for "Public works", \$2,783,000: Provided, That of the funds appropriated under this heading for fiscal year 1988 in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c); 101 Stat. 1329-94), \$2,625,000, including \$241,000 from the school transit subsidy are rescinded.

REPAYMENT OF LOANS AND INTEREST (RESCISSION)

Of the funds appropriated under this heading for fiscal year 1988 in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c); 101 Stat. 1329-95), \$1,005,000 are rescinded.

REPAYMENT OF GENERAL FUND DEFICIT

For an additional amount for "Repayment of general fund deficit", \$118,000.

OPTICAL AND DENTAL BENEFITS

For an additional amount for "Optical and dental benefits", \$1,080,000.

PERSONAL SERVICES

For "Personal services", for pay increases and related costs, to be transferred by the

Mayor of the District of Columbia to the various appropriation titles for fiscal year 1988 from which employees are properly payable, \$34,150,000, which includes a 12 percent pay absorption to be apportioned among the various appropriations titles by the Mayor.

ADJUSTMENTS

Of the funds appropriated under the various appropriation titles in the District of Columbia Appropriations Act, 1988, approved December 22, 1987 (Public Law 100-202, sec. 101(c); 101 Stat. 1329-90 to 1329-104), \$911,000, as determined by the Mayor, are rescinded.

CAPITAL OUTLAY

For an additional amount for "Capital outlay", \$6,340,000, to remain available until expended.

WATER AND SEWER ENTERPRISE FUND

For an additional amount for "Water and sewer enterprise fund", \$39,750,000, of which \$8,385,000 shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects and \$31,365,000 shall be for pay-as-you-go capital projects, of which \$10,500,000 shall be for new capital project authority for fiscal year 1988 and \$20,865,000 shall be for prior-year capital project authority.

For an additional amount for construction projects, \$10,500,000, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, sec. 43-1512 et seq.).

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For an additional amount for "Lottery and charitable games enterprise fund", \$764,000.

GENERAL PROVISIONS

SEC. 201. Notwithstanding any other provision of law, appropriations made and authority granted pursuant to this title shall be deemed to be available for the fiscal year ending September 30, 1988.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action inserts a new "Title II" and heading for fiscal year 1988 supplemental appropriations as proposed by the Senate and appropriates \$135,877,000 instead of \$103,938,000 as proposed by the Senate. There are no Federal funds involved in this supplemental; it is funded entirely with increases in local revenue collections above the level projected at the time the District's regular appropriations bill for fiscal year 1988 was considered and approved by the Congress. The District government submitted three separate supplemental requests; none of which was submitted in time to be considered by the House and only one was submitted in time to be considered by the Senate. The three supplemental requests total \$180,877,000 and consist of a net increase of \$103,938,000 submitted in House Document 100-188, a net increase of \$31,939,000 submitted in House Document 100-223, and \$45,000,000 in capital budget authority also submitted in House Document 100-223. The increase of \$31,939,000 recommended by the conferees above the Senate allowance reflects the second supplemental request. The conferees have denied without prejudice \$45,000,000 in additional capital budget authority submitted as the District's third supplemental

request. This item is discussed later in this report under the heading "capital outlay".

GOVERNMENTAL DIRECTION AND SUPPORT

The conference action recommends the appropriation of an additional \$2,168,000 and rescinds \$3,525,000 for a net decrease of \$1,357,000 as proposed by the Senate for the appropriation account "Governmental direction and support". A brief description of the conferees' recommendations by office follows:

Office of the Secretary.—The conference action provides an additional \$117,000 consisting of \$27,000 to provide staff for the newly-established controller's unit, and \$150,000 to cover the cost of automating the records of the Office of Public Records.

Office of Communications.—The conference action provides an additional \$32,000 for contractual services and printing costs for publishing and disseminating general information to the public and \$7,000 for computer equipment to upgrade and enhance the office's computer system.

Office of Intergovernmental Relations.—The conference action provides an additional \$559,000 including increases of \$162,000 for underfunded positions, \$29,000 for office supplies, \$22,000 for communications costs, \$188,000 for other services and charges, and \$158,000 for computer equipment.

Office of Personnel.—The conference action rescinds \$1,043,000 consisting of \$789,000 in personal services due to attrition, position vacancy management, termination of term appointments and curtailment of paid overtime and \$254,000 due to reducing the publication and mailings of job bulletins, shared computer usage and executive recruitment costs.

Department of Administrative Services.—The conference action provides a net increase of \$1,194,000 consisting of an increase of \$2,000,000 for increased space rental costs for leased facilities, a rescission of \$688,000 in personal services due to underspending resulting from maintaining vacant positions and restructuring positions downward to the entry level as they become vacant and a rescission of \$118,000 due to an across-the-board reduction in contractual services.

Deputy Mayor for Finance.—The conference action rescinds \$52,000 due to savings from positions remaining vacant.

Office of the Budget.—The conference action rescinds \$139,000 due to position vacancy management and \$44,000 due to printing fewer budgets and a reduction in office supplies.

Office of Financial Management.—The conference action rescinds \$1,700,000 consisting of \$700,000 due to a delay in purchasing a laser printer and upgrading the hardware and software for the Share Computer Center and \$1,000,000 due to a decrease in contractual services for upgrading various programs.

Department of Finance and Revenue.—The conference action rescinds \$537,000 consisting of \$427,000 due to delays in filling vacant positions and \$110,000 due to delays in the purchasing of equipment.

Office of Campaign Finance.—The conference action provides an additional \$189,000 consisting of \$150,000 to provide full funding for current on-board staff and \$39,000 to cover the cost of upgrading the computer system.

Office of Employee Appeals.—The conference action provides an additional \$10,000 for board members' compensation due to an increase in the number of board meetings in order to reduce the backlog in the number of appeals.

Commission on Baseball.—The conference action rescinds \$10,000 in other services and charges for the promotion of baseball in the District.

ECONOMIC DEVELOPMENT AND REGULATION

The conference action recommends the appropriation of an additional \$143,000 and rescinds \$15,779,000 for a net decrease of \$15,636,000 instead of an additional \$143,000 and rescissions of \$11,279,000 for a net decrease of \$11,136,000 as proposed by the Senate. A brief description by office follows:

Office of the Deputy Mayor for Economic Development.—The conference action rescinds \$178,000 due to a delay in filling vacant positions in the Office of Banking.

Office of Planning.—The conference action rescinds \$193,000 due to a delay in filling vacant positions.

Department of Housing and Community Development.—The conference action rescinds \$3,150,000 as follows: \$150,000 in the Mortgage Default Prevention Program, \$2,300,000 in the Citywide Home Purchase Assistance Program, and \$700,000 in the Ward 8 Purchase Assistance Program. These rescissions are being made because carryover funds are available for these programs from fiscal year 1987. The conference action also recommends rescissions of \$4,500,000 requested in the second supplemental due to certificate holders in the Tenant Assistance Program not being able to find housing during fiscal year 1988.

Department of Employment Services.—The conference action rescinds \$2,441,000 as follows: \$900,000 due to revised projections in the number of participants in the Adults-With-Dependents Program, \$681,000 due to revised projections in the number of participants in the Training/Retraining Program, and \$860,000 due to the postponed implementation of the Teen PREP Program until fiscal year 1989.

Office of Business and Economic Development.—The conference action provides an additional \$83,000 for the Commercial Development Assistance Program for loans to start up businesses along the commercial corridors in Ward 8 and rescinds \$1,312,000 consisting of \$54,000 in personal services due to savings through attrition and delays in hiring, \$1,000,000 in the Business Purchase Assistance Program due to the availability of carryover funds from previous fiscal years, \$200,000 in the Economic Development Finance Corporation due to the level of private investment in the corporation and \$58,000 from positions no longer needed which were created to help implement the Economic Development Finance Corporation.

Minority Business Opportunity Commission.—The conference action rescinds \$69,000 due to lower than anticipated personal services costs and \$68,000 due to the deferral of the preparation of audio/visual displays for community outreach efforts and the purchase and maintenance of equipment.

Housing Finance Agency.—The conference action rescinds \$69,000 due to positions remaining vacant longer than anticipated and \$400,000 due to delays in implementing the Mortgage Loan Guarantee Program which is still in the development stage.

Board of Appeals and Review.—The conference action rescinds \$10,000 due to personal services costs being less than originally budgeted.

Board of Equalization and Review.—The conference action rescinds \$35,000 in per-

sonal services due to a delay in upgrading staff positions.

Department of Consumer and Regulatory Affairs.—The conference action provides an additional \$160,000 and 12 positions and rescinds \$3,572,000 for a net decrease of \$3,412,000. Additional funds are provided for the implementation of the Alcoholic Beverage Control Amendment Act, D.C. Law 6-217, which requires a comprehensive overhaul of the regulation of alcoholic beverage control licensing in the District. Rescissions of \$1,357,000 due to delays in filling vacant positions and \$2,215,000 due to a reduction in spending for the Abatement of Nuisances Program, the ADP program and equipment purchases.

Public Service Commission.—The conference action rescinds \$25,000 due to delays in filling positions in the securities regulation area.

Office of the People's Counsel.—The conference action provides an additional \$39,000 to fully fund on-board staff and \$104,000 for space rental costs and legal analysis expenses.

PUBLIC SAFETY AND JUSTICE

The conference action recommends the appropriation of an additional \$33,253,000 and rescinds \$2,000 for a net increase of \$33,251,000 for the appropriation account "Public safety and justice" as proposed by the Senate. A brief description of the conferees recommendations follows:

Metropolitan Police Department.—The conference action provides an additional \$9,468,000 consisting of \$7,080,000 for the increased costs of night differential, terminal leave, holiday pay, and longevity pay, \$388,000 for 38 additional police officers and associated overtime for anti-drug enforcement efforts and \$2,000,000 for software development and licensing and maintenance contracts for both computer software hardware.

Fire Department.—The conference action provides an additional \$9,117,000 which includes \$5,665,000 for additional overtime; \$565,000 for employee health benefits; \$406,000 for self-contained underwater breathing apparatus and training; \$440,000 to upgrade 11 units to advance life-support ambulances; \$204,000 for paramedic physical examinations; and \$150,000 for the paramedic recruitment program. Other increases approved by the conferees include \$250,000 and 32 paramedic positions to convert the Emergency Ambulance Service to advanced life support service; \$436,000 for ambulance and first aid supplies; \$504,000 for development of promotional and entrance examinations; \$90,000 for outside medical costs; \$352,000 for communications equipment and maintenance vehicles; \$30,000 for a medical physician position; and \$25,000 for personal computers for the recently established Emergency Ambulance Bureau.

Court of Appeals.—The conference action provides an additional \$120,000 for the judicial pay raise and the senior judges' pay differential in accordance with Public Law 99-190.

Superior Court.—The conference action provides an additional \$510,000 for the judicial pay raise and the senior judges' pay differential in accordance with Public Law 99-190.

D.C. Court System.—The conference action provides an additional \$8,000 for the Executive Officer's pay adjustment and \$1,265,000 for Criminal Justice Act Program fees. The conferees have also approved three positions for the Equal Employment

Opportunity Office. The cost of these positions will be absorbed by the Court System.

Office of the Corporation Counsel.—The conference action provides an additional \$1,061,000 and 26 positions and rescinds \$100,000. The increases include \$344,000 for the new Contract Appeals Board, \$148,000 for new term full-time positions for the Civil Division to reduce the backlog in cases, \$178,000 for support of St. Elizabeths Hospital functions, \$135,000 for asbestos litigation, \$166,000 for the Juvenile Diversion Program and \$90,000 for expert witnesses, depositions, transcripts, terminal leave, library books, and the Citizens' Complaint Center.

Settlements and Judgments.—The conference action provides an additional \$3,060,000 consisting of \$1,530,000 for out-of-court settlements of claims and suits and \$1,530,000 for payment of judgments.

Public Defender Service.—The conference action provides an additional \$25,000 for an improved telephone system, \$24,000 for staff support to the Superior Court Single Representation Program, and \$9,000 for litigation services in support of the Civil Legal Services Program.

Pretrial Services Agency.—The conference action provides an additional \$142,000 for the Juvenile Drug Testing Program.

Department of Corrections.—The conference action provides an additional \$8,012,000 consisting of \$2,500,000 for unfunded care factor costs, \$2,511,000 for D.C. Code violators housed in other facilities, \$1,301,000 for the medical contract at the several detention facilities, \$525,000 for the Drug Abatement Program, and \$1,175,000 for management of the increasing prison population.

Board of Parole.—The conference action provides an additional \$115,000 and two positions for expansion of the Board from three to five members and \$47,000 for increased office security.

Office of Emergency Preparedness.—The conference action provides an additional \$300,000 and 11 positions to cover costs in the Executive Command and Communications Center previously funded by Intra-District agreements with various District agencies.

Commission on Judicial Disabilities and Tenure.—The conference action rescinds \$2,000 due to the deferral of the purchase of a computer software package.

Law Revision Commission.—The conference action provides an additional \$18,000 for underfunded commissioners' stipends.

Office of Criminal Justice Plans and Analysis.—The conference action provides a net increase of \$52,000 including an increase of \$160,000 and rescissions of \$108,000. The increase of \$160,000 is for use by the Civilian Complaint Review Board to eliminate the backlog of cases. The rescission of \$108,000 is due to the delay in filling vacant positions.

PUBLIC EDUCATION SYSTEM

The conference action recommends the appropriation of an additional \$13,900,000 and rescinds \$1,114,000 for a net increase of \$12,786,000 for the appropriation account "Public education system" instead of an additional \$10,000,000 and rescission of \$1,114,000 for a net increase of \$8,886,000 as proposed by the Senate. A brief description of the amount recommended by agency follows:

Board of Education (Public Schools).—The conference action provides an additional \$10,000,000 to support the fiscal year 1988 increase for teachers' salary adjustments.

The conference action also provides an additional \$3,900,000 requested in the District's second supplemental request for other regular pay purposes.

District of Columbia Law School.—The conference action rescinds \$210,000 due to lower than anticipated costs for personal services and contractual services.

Public Library.—The conference action rescinds \$579,000 and deletes four positions and provides an additional \$30,000 for four security guards at branch libraries. The rescissions consist of \$290,000 due to projected savings in energy, \$115,000 due to deferring carpet and vehicle purchases, \$95,000 due to a delay in the opening of the new Sheppard Park Branch Library, and \$79,000 due to various miscellaneous cost-saving measures.

Commission on the Arts and Humanities.—The conference action rescinds \$355,000 consisting of \$20,000 due to a decrease in the funding level for the Capital Children's Museum, \$190,000 due to a slowdown in program expansion, \$30,000 due to a reduction in cultural arts research and assessment, and \$115,000 due to a decrease in program maintenance and delays in implementing new programs.

HUMAN SUPPORT SERVICES

The conference action recommends an additional appropriation of \$24,467,000 and rescinds \$8,578,000 for a net increase of \$15,889,000 for the appropriation account "Human support services" instead of an additional \$2,550,000 and rescissions of \$18,361,000 for a net increase of \$15,811,000 as proposed by the Senate. A brief summary by agency follows:

Department of Human Services.—The conference action provides an additional \$37,072,000 and rescinds \$49,355,000 for a net decrease of \$12,283,000. The increase of \$37,072,000 includes the following: \$4,000,000 to cover unbudgeted costs in rent, communications, and energy, \$4,782,000 to implement the Comprehensive Homeless Plan, \$8,000,000 for the Foster Care Program, \$5,600,000 for the implementation of the Jerry M. Consent Decree requirements, \$2,000,000 for the Day Care Program, \$2,000,000 for the Emergency Assistance Program, \$1,200,000 for PCP Clinics, \$150,000 to increase the hourly rate of homemaker and chore aides, \$1,800,000 for specialized home care and respite services, \$900,000 for the Randolph-Sheppard Vending Program, \$1,000,000 to reinstate the three percent reimbursement increase for hospitals, and \$2,550,000 for drug abuse prevention and treatment services. The conferees also recommend increases of \$1,024,000 to implement the Nursing Assignment Act of 1987, \$656,000 for the Cancer and Teenage Pregnancy Prevention Program, and \$1,410,000 for compliance with the State Medicaid Plan and replacement of equipment. The rescission of \$49,355,000 consists of the following: \$14,478,000 from administrative savings, \$6,322,000 because of a limitation on new hires to fill non-critical positions, \$10,041,000 as a result of program adjustments and resizing measures, \$12,800,000 as a result of increased revenue collections enhancements, \$4,558,000 due to delays in filling vacant positions, \$500,000 in the Youth Services Administration due to lower than anticipated inflationary cost estimates, and \$656,000 in rental costs of the Preventive Health Services Administration due to lower actual costs.

The conference action also provides an additional \$34,200,000 requested in the second supplemental request (H. Doc. 100-223) as

follows: (1) \$7,606,000 for personal services to fill critical and essential vacant positions, (2) \$50,000 for regulatory and legislative services, (3) \$659,000 for necessary funding for personal services contracts, (4) \$49,000 for the required 100% match for the State Student Incentive Grant Program, (5) \$500,000 to upgrade the Office of Information Systems computer capability, (6) \$426,000 for relocation costs of the Office of Information Systems to make room for the Department of Corrections Treatment Facility, (7) \$19,000 for additional court reporter services to provide legally mandated verbatim transcripts of hearings, (8) \$70,000 to purchase computer equipment, (9) \$100,000 for administrative support costs in the Office of Inspection and Compliance, (10) \$4,088,000 to cover increased costs of emergency shelter for families and other homeless persons, (11) \$6,212,000 for the foster care program, (12) \$4,978,000 for increases in the costs of settlements of prior years' services, (13) \$3,765,000 for increased inpatient and outpatient services at D.C. General Hospital, increased home health care services, and day treatment programs for the mentally retarded and frail elderly, (14) \$2,157,000 for increases in mandated and uncontrollable costs of services, and (15) \$3,521,000 for increases in contractual services in the Commission on Mental Health.

The conferees have deleted, without prejudice, language allocating \$400,000 in fiscal year 1988 and \$264,000 in each of the fiscal years ending September 30, 1989, September 30, 1990, and September 30, 1991, for the operation of a residential facility for mentally disabled mothers and their infants. The subject is addressed earlier in this report under amendment number 10 under the side heading "Department of Human Services".

The conferees have included bill language providing that the \$990,000 appropriated in the District's fiscal year 1988 appropriations act be solely for Project Volta and remain available until expended. Project Volta is a joint project of the District and the Alexander Graham Bell Association for the Deaf for early detection and intervention of hearing impaired children in the District of Columbia.

Department of Recreation.—The conference action rescinds \$1,077,000 consisting of \$399,000 due to a reduction in the use of school custodians, \$72,000 due to a reduction in the hours of operation for recreation centers and playgrounds, \$514,000 due to a reduction in funding for various programs, and \$92,000 due to a reduction in nonpersonnel services, terminal leave and leaving two positions vacant.

Office on Aging.—The conference action rescinds \$1,239,000 consisting of \$1,086,000 due to a delay in the construction of the multi-purpose senior centers, \$125,000 due to a delay in the implementation of the Later Life Learning Resource Center, and \$28,000 due to a delay in filling new positions authorized in fiscal year 1988.

D.C. General Hospital.—The conference action rescinds \$3,500,000 due to management improvements that have increased operational efficiency and improved the hospital's ability to more accurately estimate revenue and to bill and collect that revenue. The conference action also rescinds an additional \$2,500,000 contained in the second supplemental request (H. Doc. 100-223) due to improved revenue generation and the transfer of equipment repair and purchase authority from the operating budget to the capital improvements program.

Disability Compensation Fund.—The conference action provides an additional \$2,545,000 consisting of \$2,200,000 for benefit payments due to a cost of living adjustment of 4.2 percent and \$345,000 for medical services due to an increase in medical billings.

Office of Human Rights.—The conference action rescinds \$98,000 and deletes two positions due to a decrease in personal services resulting from positions remaining vacant and \$30,000 due to the deferral of the purchase of furniture, equipment and consultant services.

Office on Latino Affairs.—The conference action rescinds \$13,000 due to a decrease in the purchase of office supplies and equipment and \$121,000 due to savings in the Latino Initiative Program due to the lengthy recruitment efforts required to find qualified bilingual personnel.

Energy Office.—The conference action provides an additional \$5,000 to support the Gasoline Advisory Board established by the Retail Service Station Act of 1976.

PUBLIC WORKS

The Committee recommends an additional appropriation of \$2,783,000 and rescinds \$2,625,000 for a net increase of \$158,000 for the appropriations account "Public works" instead of rescissions of \$6,293,000 as proposed by the Senate. A brief summary by agency follows:

Department of Public Works.—The conference action provides an increase of \$2,098,000 and rescinds \$4,650,000 for a net decrease of \$2,552,000. The increases approved by the conferees are as follows: \$15,000 for the Eastern Market renovation project, \$35,000 for the Hazardous Material Study Commission, \$30,000 for training programs for blue-collar workers, \$676,000 for department-wide rental costs, \$125,000 to establish the Office of the Litter and Solid Waste Reduction Commission, \$30,000 for the Roadway and City Gateway Beautification Program, \$183,000 for electrical energy, \$50,000 to establish the Bureau of Recycling and Resource Recovery, and \$954,000 for the Residential Parking Permit Program. The rescission of \$4,650,000 consists of \$1,640,000 due to reduction in personal services cost resulting from leaving positions vacant, \$100,000 due to delaying the study to consolidate and link the existing independent data bases for motor vehicle registrations, motor vehicle operator permits, insurance, and traffic tickets, \$690,000 due to a department-wide reduction in overtime costs, \$100,000 due to a reduction in streetlight and traffic signal electrical energy due to lower fuel costs, \$960,000 due to a reduction in streetlight operations and maintenance due to postponing the conversion of streetlights to sodium vapor, \$200,000 due to a reduction in contractual park maintenance, and \$308,000 due to a reduction in building maintenance. The conferees also recommend rescissions of \$127,000 due to a reduction in the mechanical alley cleaning program, \$100,000 due to a reduction in underpass electrical testing, \$225,000 due to a reduction in the purchase of supplies, vehicle inspection stickers, and contractual services, and \$200,000 due to a reduction in the gateway beautification project, public space maintenance and the delay in purchasing a new filing system for the Adjudication Processing Division.

The conference action provides an additional \$4,935,000 contained in the second supplemental request (H. Doc. 100-223) consisting of \$1,455,000 for snow removal and

\$3,480,000 for increased dump fee costs at the Lorton landfill.

Department of Public Works (Pay-As-You-Go Capital).—The conference action rescinds \$2,384,000 as requested in the second supplemental (H. Doc. 100-233) due to postponement until fiscal year 1989 of the purchase of selected large items of equipment such as packers, sweepers, and dump trucks.

Washington Metropolitan Area Transit Authority.—The conference action rescinds \$3,500,000 due to a credit resulting from the fiscal year 1987 audit which will be used to offset the District's fiscal year 1988 operating subsidy. The conference action recommends the rescission of \$3,254,000 requested in the second supplemental (H. Doc. 100-223) due to increased revenues from ridership growth. The conference action provides an increase of \$7,154,000 requested in the second supplemental consisting of \$6,644,000 for Metrobus Operations due to increased bus costs, lower audit adjustment credits, and reduced Federal operating grants, and \$510,000 for rail construction management due to accelerated rail construction on the Green, Red, and Yellow lines.

School Transit Subsidy.—The conference action rescinds \$241,000 due to lower-than-anticipated student ridership.

REPAYMENT OF LOANS AND INTEREST

The conference action recommends an additional \$3,469,000 as proposed by the Senate for debt service on the District's outstanding long-term capital debt which is higher than previously estimated. As a result, the District will be required to borrow capital funds in mid-spring rather than early summer as planned, and thus incur additional debt service costs.

The conference action rescinds \$4,474,000 contained in the second supplemental request due to lower than anticipated interest costs on the new capital funds bond issue.

REPAYMENT OF GENERAL FUND DEFICIT

The conference action appropriates an additional \$118,000 as proposed by the Senate for repayment of the District's accumulated general fund deficit.

OPTICAL AND DENTAL BENEFITS

The conference action appropriates an additional \$1,080,000 as proposed by the Senate for optical and dental payments for District employees based on the increase in the number of claims.

PERSONAL SERVICES

The conference action appropriates an additional \$34,150,000 for the estimated costs of employee pay raises instead of \$34,377,000 as proposed by the Senate. These raises represent an increase of approximately 4 percent for police officers, an average increase of 9.66 percent for registered nurses and a 3 percent or \$1,000 base increase, whichever is higher, for most other employees.

ADJUSTMENTS

The conference action recommends approval of an unallocated rescission of \$911,000 requested in the second supplemental (H. Doc. 100-223) to be taken from various appropriation titles as determined by the Mayor.

CAPITAL OUTLAY

The conference action recommends an additional appropriation of \$6,340,000 as proposed by the Senate for the "Capital Outlay" appropriation account. The conference allowance consists of \$540,000 for the purchase of a structure to house a halfway

house for women, and \$5,800,000 to purchase equipment and make renovations at D.C. General Hospital. The conferees have deferred, without prejudice, the additional capital borrowing authority of \$45,000,000 for an 800-bed Correctional Housing Development project at Lorton, Virginia, requested in the District's third supplemental request submitted in H. Doc. 100-223.

The proposed additional capacity continues the District's efforts to expand prison capacity to catch-up with rapidly increasing prison population. Since 1974, the year before Home Rule, the District has expanded jail capacity by more than 104 percent and Lorton capacity by approximately 97 percent, yet facilities are more overcrowded than they were a decade ago. The District is also faced with court orders that limit the number of inmates at the jail to 1,694, which is 22 percent above its original design capacity. Courts have also placed a population limitation on the Central Facility at the Lorton Complex.

The District has responded by proposing an 800 bed Correctional Treatment Facility (CTF) in Southeast Washington; 230 half-way house beds in the District; and the proposed 800 bed expansion at Lorton. As responsive as these plans are, there needs to be a more coordinated and comprehensive review of the District's prison capacity needs. In Senate Report 99-367, dated August 5, 1986, the following suggestion was included:

The Department of Corrections should begin to undertake a department-wide analysis of its current prison space. More than one-half of the capacity at the Lorton complex is contained in buildings that are 60 years old or older. During testimony March 26, 1986, the Council Chairman suggested a comprehensive public safety plan. Realistic long-range analysis is overdue and should be undertaken as soon as possible.

That need still exists. The conferees direct that the District undertake such a review and analysis and submit a plan and program addressing capacity issues for the remainder of this century. This report should be submitted to the Council and the Committees on Appropriations of the Senate and House of Representatives not later than April 15, 1989.

The plan should address issues such as the need to replace various current facilities; expected cost savings of new buildings compared to high maintenance cost of antiquated facilities. Also addressed should be the location of any replacement buildings. It should be noted that the total acreage at the District's Lorton Correctional complex is 3,000 acres. However, according to a report of the District in March 1985, actual prison facilities encompass only 201.51 acres. The consolidation of facilities should be examined with an eye toward freeing some of the acreage for non-District, non-correctional uses. The conferees would expect that the District would address the latter issue of consolidation prior to undertaking any final siting decision on the proposed expansion now requested.

WATER AND SEWER ENTERPRISE FUND

The conference action recommends an additional appropriation of \$39,750,000 as proposed by the Senate for "Water and Sewer enterprise fund" appropriation account to pay deferred principal and interest on Potomac Interceptor projected "C" borrowings and for pay-as-you-go capital projects.

The conference action recommends an additional appropriation of \$10,500,000 as proposed by the Senate for capital outlay and

includes \$5,000,000 for facility rehabilitation, \$3,000,000 for major equipment acquisitions, and \$2,500,000 for water meter replacements.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

The conference action recommends an additional appropriation of \$764,000 as proposed by the Senate for the "Lottery and Charitable Games Enterprise Fund" as follows: \$207,000 for the estimated fiscal year 1988 pay adjustment, \$120,000 to fund authorized marketing positions, \$171,000 for personnel functions and public relations, \$40,000 for agency realignments, and \$226,000 for automated information services.

GENERAL PROVISIONS

The conference action adds language to the bill which deems the appropriations made in Title II to be available for the fiscal year ending September 30, 1988. This language in effect ratifies all obligations and expenditures made in anticipation of the enactment of the District's fiscal year 1988 supplemental request as approved in Title II of this Act.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1989 recommended by the Committee of Conference, with comparisons to the fiscal year 1988 amount, the 1989 budget estimates, and the House and Senate bills for 1989 follow:

FEDERAL FUNDS

New budget (obligational) authority, fiscal year 1988.....	\$550,000,000
Budget estimates of new (obligational) authority, fiscal year 1989.....	541,596,000
House bill, fiscal year 1989.....	541,596,000
Senate bill, fiscal year 1989.....	532,000,000
Conference agreement, fiscal year 1989.....	536,910,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1988.....	-13,090,000
Budget estimates of new (obligational) authority, fiscal year 1989.....	-4,686,000
House bill, fiscal year 1989.....	-4,686,000
Senate bill, fiscal year 1989.....	+4,910,000

DISTRICT OF COLUMBIA FUNDS

FISCAL YEAR 1989

New budget (obligational) authority, fiscal year 1988.....	\$3,077,347,000
Budget estimates of new (obligational) authority, fiscal year 1989.....	3,206,916,000
House bill, fiscal year 1989.....	3,206,916,000
Senate bill, fiscal year 1989.....	3,216,916,000
Conference agreement, fiscal year 1989.....	3,206,095,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1988.....	+128,748,000
Budget estimates of new (obligational) authority, fiscal year 1989.....	-821,000
House bill, fiscal year 1989.....	-821,000

Senate bill, fiscal year 1989.....	-10,821,000
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DISTRICT OF COLUMBIA FUNDS

FISCAL YEAR 1988 SUPPLEMENTAL

Budget estimates of new (obligational) authority, fiscal year 1988 supplemental.....	\$180,877,000
House bill, fiscal year 1988 supplemental.....	
Senate bill, fiscal year 1988 supplemental.....	103,938,000
Conference agreement, fiscal year 1988 supplemental.....	135,877,000
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 1988 supplemental.....	-45,000,000
House bill, fiscal year 1988 supplemental.....	+135,877,000
Senate bill, fiscal year 1988 supplemental.....	+31,939,000

JULIAN C. DIXON,
WILLIAM H. NATCHER
(except amendment 15),

LOUIS STOKES,
LES AU COIN,
WES WATKINS,
STENY H. HOYER,
JAMIE L. WHITTEN,
LAWRENCE COUGHLIN,
BILL GREEN,
RALPH REGULA,
SILVIO O. CONTE,

Managers on the Part of the House.

TOM HARKIN,
FRANK R. LAUTENBERG,
(except amendment 15),

HARRY REID,
JOHN C. STENNIS,
DON NICKLES,
CHUCK GRASSLEY,
MARK O. HATFIELD,

Managers on the Part of the Senate.

Mr. DIXON. Mr. Speaker, pursuant to the previous order of the House, I call up the conference report on the bill (H.R. 4776) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 548, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today, September 29, 1988.)

The SPEAKER pro tempore. The gentleman from California [Mr. DIXON] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. COUGHLIN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. DIXON].

GENERAL LEAVE

Mr. DIXON. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks on the conference report on the bill, H.R. 4776, and all amendments in disagreement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DIXON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, following the action taken by the House yesterday on the conference report making appropriations for the District of Columbia for fiscal year 1989, the conferees met earlier today to try to come to some agreement on amendment No. 15 concerning funding for abortions in the District of Columbia.

We did not come to an agreement at our conference this afternoon; however, let me at the very outset make clear certain facts.

First of all, the abortion amendment is not wrapped into this conference report. It is a separate amendment that is being brought back outside the conference report. This will allow Members an opportunity to work their will on this amendment after the conference report is adopted.

That was the case yesterday and it is still the case today.

We have no intention of blocking Members from working their will on this amendment, just as we had no intention yesterday of blocking Members from having a separate vote on amendment No. 15, the abortion amendment. A vote against the conference report does not touch the abortion amendment directly, because the abortion amendment is not included in the conference report. I want to make that very clear.

Therefore, I would ask Members to vote for the conference report so that we can have a separate vote on amendment No. 15, the abortion amendment for the District of Columbia.

With that clarification, let me explain how we have come to this point. The language in the House version of H.R. 4776, which passed the House on June 28, prohibited the use of all local and Federal funds for abortions, with no exceptions.

The Senate struck the House language and inserted the provision that has been carried since fiscal year 1980 which prohibits the use of Federal funds, with the following five exceptions; that is to save the life of the mother, for rape, for incest, for ectopic pregnancies, and for drugs or devices to prevent implantation of the fertilized ovum.

The Senate language, as I mentioned a moment ago, has been carried in the District's funding measures since 1980, and those measures have been signed each year by the President.

Granted, some of those measures were continuing resolutions which in-

cluded other bills; however, some were individual appropriations acts enacted solely for the District government.

In our first conference this past Tuesday, the Senate conferees insisted on their position—that is, that no Federal funds, with five exceptions—and that is what was brought back in technical disagreement as amendment No. 15 yesterday.

In our conference today, we could not reach a compromise between the House and Senate positions. There were two compromises offered, one that would allow no Federal funds for abortions except to save the life of the mother; that proposal was rejected by the Senate. The second proposal was that no funds, local or Federal, could be used for abortions except to save the life of the mother. That was rejected by the House. So the conferees agreed to take this amendment back to their respective bodies in true disagreement.

The proposal I made at the conference as chairman of the House conferees is the exact same language—word for word—as the language adopted by the House earlier this month in the Labor, Health and Human Services and Education appropriation bill. That bill has been signed by the President and is our national policy for fiscal year 1989.

What I am saying to the Members is that in a few minutes, when I ask that the previous question be ordered, it is my understanding there will be a motion to recommit this conference report with instructions. If you adopt that motion, we have to go back to conference. If you defeat that motion, we will have an opportunity to vote on amendment No. 15 this evening. And I will offer a motion that says no Federal funds shall be used to perform abortions, except to save the life of the mother.

Mr. Speaker, I reserve the balance of my time.

Mr. COUGHLIN. Mr. Speaker, I yield myself such time as I may consume.

The issues involved in the conference report were discussed at length last evening.

The sole issue that we have here today, or tonight, is whether a local jurisdiction, be it the District of Columbia, a State, or some other jurisdiction, be allowed to use its own money for a particular purpose.

I regret that we have come to this situation, but we are in that position.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Speaker, I thank my good friend for yielding me this time.

Initially I would like to state some heartfelt feelings about how the majority has protected my rights and always treated me with great fairness

on this very difficult and sometimes very emotional issue.

My colleague, the gentleman from California [Mr. Dixon], has been a man of his word in the decade I have served with him, and has always been very straightforward with me. I appreciate it and I honor the gentleman for that colleague protection of a minority member.

On my own side, the gentleman from Pennsylvania [Mr. COUGHLIN] is the same. He has always been straight with me, alerted me about what was going to happen, and protected my rights.

What the majority of this House wants is the Conte-Hyde language, but we want it to apply to all funds. That is the position of the proliferers in this House.

Although I understand the chairman's desire to go through a procedure that has a slight beneficial turn toward his position, I want us, as is my right, to relive yesterday, where I will submit a motion to recommit.

I told the gentleman earlier that I might avoid that process so we could pass the conference and then go to a division of the question where we would vote on an amendment of his, but I think the gentleman knows that if we only go back two centuries, analyzing our great legislative process in this Chamber or the Mother of Parliaments in London, and I do not have to go back to the Senate in Rome, one thing a minority member should never do is give up his power when he has the votes, and I believe given the vote yesterday, 228 to 188, that it is minority wisdom on my part to relive yesterday.

□ 1900

There has been one significant change. At the conference today, the Senate conferees on the second set of words pulled back from their position and voted 4 to 3 for the House position that no funds should be spent that did not live up to the Conte-Hyde language, and because of that significant change that the Senate conferees have now receded to the House position, and that it is the House conferees who are insisting on language that would not pass this House up or down on a vote, just on the House conferees' language, I think that I am being fair and as honorable and honest with my colleagues on both sides of the aisle as they have been with me, protecting my time and my rights, so I do have an amendment at the desk, and at the appropriate time, I know the gentleman in the chair, the Speaker pro tempore, will protect me, and I am going to again submit a motion to recommit and ask for the yeas and nays on that.

Mr. DIXON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me try to once again put in focus what is about to occur here.

On September 20, the President of the United States, by signing into law the Health and Human Services Appropriations Act for fiscal year 1989, established a national policy adopted by the Congress at least for the next fiscal year, concerning abortions. And that is that there shall be no Federal funds spent on abortions except to save the life of the mother. That is the national policy for fiscal year 1989. That means in Kentucky and in California and in all of the other 48 States no Federal money can be spent on abortions. That leaves to the individual States the opportunity to make their own decision through their State legislative process as to what they can or cannot do with their own money. That is our national policy.

Today, I received a letter, and I believe other Members received the same letter from the President of the United States concerning our conference. That is the same President, Mr. Ronald Reagan, who served with me in Sacramento; and it is the same President who signed the bill on September 20 establishing a national policy. He says:

DEAR JULIAN: Congress soon will consider the conference report on the District of Columbia Appropriations bill for fiscal year 1989. If the bill presented to me permits—

And these are the key words—the use of appropriated funds to pay for abortions other than those where the life of the mother would be endangered if the fetus were carried to term, I will veto it.

In the District of Columbia appropriations bill, there are basically two types of money. There is the District's own locally generated revenues, and there is the Federal money.

I ask the President of the United States why is he setting two standard—one for the 50 States and one for the District of Columbia. Is it because the people who live here are black? I think not. Why is it that he does not want the law of the land that applies to the 50 States to apply to the District of Columbia? Is it because they do not have a vote in the House? I think not. It is because that during this election year there is a climate to try to appeal to a group of constituents, either small in number or few in number, without impacting the rest of the country, but taking it out on the citizens of the District.

Mr. Speaker, no logic can tell me that the President of the United States should have two separate standards for the citizens of this Nation. The national policy should apply to all jurisdictions. He has signed a bill that says the 50 States can do what they want with their own money. He sends me a letter that says the District cannot do what it wants with its own money.

When I move the previous question on adoption of the conference report I will simply be asking every Member to give us an opportunity to have an up-or-down vote on this issue on amendment number 15, and to vote no, against the motion to recommit.

Mr. Speaker, I reserve the balance of my time.

Mr. COUGHLIN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding time to me.

I just want to let the House and the membership know that the vote today will be identical to the vote we had last night. The motion that the gentleman from California [Mr. DORNAN] will be offering will be identical, and we hope for consistency sake that those who consider themselves to be pro-life in that they are opposed to abortion and the use of funding, whether it be local or Federal, for the purpose of abortion, will vote the same way.

The issue is also that we are talking in the District's use of its own money about abortion on demand. We are not talking about exception to abortion on demand. In fiscal year 1986, there were approximately 3,600 abortions which were financed and subsidized by the District.

We do have the power of the purse here. We have the power to dictate some policy, at least with regard to the Federal enclave, the District of Columbia, and I believe we ought to exercise it when such a momentous and important issue of abortion is involved. When the lives of children are literally at stake, I would hope the membership would stay consistent with last night's vote to recommit the bill with instructions.

It is my view that will get us to a bill signed by the President very, very quickly. The President has said he will veto it, so if we want to stay here next week and thereafter, vote against the Dornan motion, and if we want to get this bill wrapped up, I would strongly advise Members to vote with the Dornan motion.

Mr. COUGHLIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say only that what we are doing here is denying Federal funds to one jurisdiction on the condition that it take a particular action which we are not doing to any other jurisdiction in the United States, where we are not denying them Federal funds based upon the same premise, and I think it is a mistake.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DIXON. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move

the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. DORNAN OF CALIFORNIA

Mr. DORNAN of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. DORNAN of California. Mr. Speaker, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DORNAN of California moves to recommit the conference report on the bill H.R. 4776 to the committee of conference with instructions to the managers on the part of the House to insist on the House text of section 117 relating to use of funds for abortions, or to agree to an amendment to such House text containing an exception where the life of the mother would be endangered if the fetus were carried to term.

The SPEAKER pro tempore. The question is on the motion to recommit offered by the gentleman from California [Mr. DORNAN].

The motion to recommit was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. VUCANOVICH. Mr. Speaker, today I had an official leave of absence to attend the launch of the space shuttle. But, had I been here, I would have voted:

"Yes" on rollcall No. 364, agriculture appropriations;

"No" on rollcall No. 365, legislative appropriations;

"No" on rollcall No. 366, the rule to make in order the Obey motion to recede and concur in the Senate amendment No. 119;

"Yes" on rollcall No. 367, the Obey motion to recede and concur in the Senate amendment No. 119;

"Yes" on the Armey and Burton amendments.

CHICAGO AND NORTH WESTERN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. HAYES] is recognized for 5 minutes.

Mr. HAYES of Illinois. Mr. Speaker, I have taken out this Special Order to discuss the actual experience of working people, during the Reagan administration. The question is, Are American working people better off now than they were 4 years ago? The answer is that working people across America are worse off today.

On September 9, 1988, the House passed Senate Joint Resolution 374—(Public Law 100-429)—providing for settlement of a labor-management dis-

pute between Chicago & North Western Transportation Co. and the United Transportation Union.

The Chicago & North Western currently operates with four-man crews—an engineer, a conductor, and two brakemen. The railroad has contended that it can in most cases operate with only two-man crews, just as many of its competitors' trains are operated. CNW contends that its financial condition is such that it must have relief from current crew rules in order to survive in the long run.

The reduction in crew size was opposed by the UTU. The CNW initiated formal collective bargaining on its crew size proposal on May 15, 1987. It followed the procedures mandated by the Railway Labor Act, including collective bargaining, mediation, and, finally, submission of the dispute to a Presidential Emergency Board, which was appointed in an attempt to resolve the issue. The Emergency Board issued a decision July 1, 1988, which contains its report and recommendations. The Board ruled that CNW could reduce to three-man crews under certain circumstances. The Emergency Board also granted to employees who resign voluntarily, severance payment of \$50,000. Employees who are laid off involuntarily would receive \$45,000.

Fifty thousand dollars is no substitute for the loss of a permanent job. Fifty thousand dollars, does not give a person with a family much of a future to look forward to, when railroad work is all you have known your working life.

The reduction of crew size was opposed by the UTU.

The Emergency Board's ruling is not binding. After 30 days negotiations failed. On August 4, 1988, after an additional cooling-off period UTU went on strike.

Also on August 4, 1988, the House passed Senate Joint Resolution 356, which extended the cooling off period to midnight September 8, 1988. The issues were not resolved and UTU went on strike on September 8, 1988.

The purpose of Senate Joint Resolution 374, which passed the House, the Senate, and was signed by the President (Public Law 100-429), is to settle the longstanding dispute.

I objected to the consideration of a congressionally mandated solution to the CNW-UTU dispute when it was considered on the floor of the House for several reasons. One, I do not like this process of collective bargaining. I do not know what is involved in it. Also, some of these people who are going to be affected in one way or another are constituents of mine, and I want to be in a position to at least explain it to them. I know there are a number of people who are going to lose their jobs. I object to this because Congress should not be getting in-

involved if both sides act responsibly in the collective bargaining process.

First, CNW summarily fired—terminated—approximately 200 brakemen on or about September 7, 1988, 2 days before the strike of September 9, 1988. Also in violation of the Railway Labor Act [RLA].

Second, the fired employees are not being considered by CNW as being under the protection of the Presidential Emergency Board Report which has been imposed upon the UTU as a result of congressional action—which may be in violation of the RLA.

Third, CNW is also now operating reduced crews with impunity, and in direct violation of the "Status Quo" requirements of the Presidential Emergency Board Report to maintain the existing relationship for a period of 6 months while determinations are made on the bidding and applying of voluntary resignations, followed by forced resignations, in accordance with the imposed Presidential Emergency Board Report. These actions by CNW are also a direct violation of the Railway Labor Act in that changes in working conditions are being affected without negotiation, and thus represents a "major" dispute, and is enjoined by court action.

These are some of the issues that may have been resolved if we in the Congress had let the collective bargaining process resolve this problem. This is an example of the actual experience of working people, during the Reagan administration. I do not believe that the employees of CNW who have lost or will be losing their jobs, in the near future, believe that their lives are better off now. The answer for millions of middle income and poor working people, across America is that they are worse off today.

In addition, I have attached copies of an "Open Letter to Congress" and article, "Strike Forestalled: Presidential Board Imposed at CNW," from Straight Track newspaper, letters dated August 11, 1988, September 11, 1988, and September 14, 1988, from United Transportation Union for review by my colleagues.

BUSH ATTACKS DANGEROUSLY STRIKE AT THE CONSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. GLICKMAN] is recognized for 5 minutes.

Mr. GLICKMAN. Mr. Speaker, there has been considerable attention in recent weeks to the number of nonsubstantive issues which have been the focus of the current Presidential campaign. One point which I think has been lost is that some of these "non-substantive" issues do strike at fundamental values which were enshrined in our Constitution by the Founding Fathers. Recently, the Wichita Eagle-

Beacon, the largest circulation newspaper published in the State of Kansas, editorialized very poignantly on this very point. As the paper's editorial concluded, "Mr. Bush should stop wrapping himself in the American flag, cease impugnig his opponent's patriotism and start showing that he is dedicated to the U.S. Constitution."

I ask unanimous consent that the editorial, "Threat to Liberty," be printed at this point in the RECORD.

[From the Wichita Eagle Beacon, Sept. 28, 1988]

THREAT TO LIBERTY—BUSH ATTACKS THE CONSTITUTION

Every so often someone will take a copy of the Bill of Rights and, without saying what it is, ask people whether they support the Constitution's first 10 amendments. Inevitably, a majority of those surveyed oppose some of the country's basic legal protections.

It is to the mentality that would rip up parts of the Constitution that Vice President George Bush is appealing by attacking Gov. Michael Dukakis for vetoing a bill requiring the recitation of the Pledge of Allegiance and for his membership in the American Civil Liberties Union.

The strategy is that rather than stress such substantive matters as the deficit, housing, or defense, the Bush campaign wants to portray Mr. Dukakis as an extreme leftist who would subvert basic U.S. values. The thinking is that if Mr. Bush can hang an unflattering liberal label onto Mr. Dukakis then voters won't examine the Democrat's ideas about health care, education and other issues.

It's outrageous. Mr. Bush's tactic seems a textbook example of what Samuel Johnson was talking about when he said that "patriotism is the last refuge of a scoundrel."

If it is anything more than despicable election-year demagoguery, Mr. Bush's quarrel isn't with Mr. Dukakis or the ACLU, but with the Founders who drafted the Constitution. It was they, not the ACLU, who separated church from state, and led the ACLU and many church groups to criticize efforts to use government to promote religion. It was James Madison, George Washington and Benjamin Franklin, not Michael Dukakis, who enshrined freedom of conscience, leading to the 1943 Supreme Court decision forbidding government from coercing people to recite the pledge.

One of the obligations of living in a democracy is to allow others to disagree with popular political beliefs. Sadly, some people are quick to send any dissenter to a witch's bonfire. The country, however, is fortunate to have such an organization as the ACLU that will defend the right of Nazis—disgusting though they are—to march in Skokie, Ill., that will question displaying religious symbols in front of city halls and courthouses, that will ask whether Lt. Col. Oliver North is getting a fair shake from the legal system.

Indeed, without the ACLU and other groups committed to constitutional rights, the United States could become a dictatorship of the majority without any guarantees of freedom of thought and expression.

Mr. Bush should stop wrapping himself in the American flag, cease impugnig his opponent's patriotism and start showing that he is dedicated to the U.S. Constitution.

TRIBUTE TO ASTRONAUTS FROM CLINTON COUNTY, IA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. TAUKE] is recognized for 5 minutes.

Mr. TAUKE. Mr. Speaker, after 2½ years of review, research, and reflection, the United States began a new era in space today when the space shuttle *Discovery* blasted into orbit around the Earth. America watched with bated breath as the *Discovery* roared off its Cape Canaveral launching pad and started our Nation's comeback in the exploration of space. Our hopes and prayers are with the *Discovery* crew: Mission Commander Frederick Hauck, Pilot Richard Covey, and mission specialists David Hilmers, John Lounge, and George Nelson.

While all Americans share in the pride of the successful launch of the *Discovery*, perhaps no area of the country has more interest in this mission than the 55,000 residents of Clinton County, IA, who are sending two of their own on this mission. Marine Lt. Col. David C. Hilmers was born in Clinton, IA, and grew up in DeWitt, IA. His parents are Matilda and Paul Hilmers, and they both still live in the area. Dr. George "Pinky" Nelson is a civilian astronomer who was born in Charles City, IA, but his parents, Tess and George Nelson, now reside in Clinton.

Colonel Hilmers and Dr. Nelson are both space shuttle veterans and are well suited to help lead our Nation back into space. Interestingly, they share the experience of space flight with yet another Clintonian. Navy Comdr. Dale A. Gardner, who has now returned to active military duty, is also a veteran of two shuttle flights. Commander Gardner considers Clinton to be his hometown and his parents, Mr. and Mrs. William Gardner, still reside there.

Dave, Pinky, and Dale have brought enormous pride to the people of Clinton County through their heroic efforts in space and through their outstanding civic contributions. Four years ago I mentioned in a statement before the House that I knew of no other area in the country that had as unique a relationship with the shuttle program. At that time, I stated that Clinton County could lay claim to the title, "County of the Astronauts." Today's launch of the *Discovery*, with Hilmers and Nelson aboard, certainly reinforces that claim.

The *Discovery* will be in space for 5 days and is scheduled to land on Monday morning. On behalf of the citizens of Clinton County, IA, "The Astronaut County," I wish the crew of the *Discovery* Godspeed.

□ 1915

Mr. PORTER. Mr. Speaker, will the gentleman yield?

Mr. TAUKE. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Speaker, the gentleman might be interested that the manager of my first campaign in 1978 was named Jack Hotaling, a close friend; his wife, Ginny Hotaling, comes from Clinton; and her brother is David Hilmers, up in space right now, so we have some relationship with the famous astronaut from Iowa, as well as you.

Mr. TAUKE. Mr. Speaker, I thank the gentleman from Illinois for his comments.

THE SPEAKER IS WRIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. CROCKETT] is recognized for 5 minutes.

Mr. CROCKETT. Mr. Speaker, a few days ago Speaker JIM WRIGHT blew the whistle on the Reagan administration's policy of trying to provoke the Sandinista crackdowns that it then uses to justify funding the Contras and sabotaging the Central American peace process.

It is undeniably public knowledge that this administration tries consistently to provoke the Sandinista government. The American people already know that the U.S. Government as a matter of policy seeks to achieve the violent overthrow of the Sandinista government. They know that the CIA has taken the leading role in trying to accomplish that task.

And any Member of Congress who has visited Nicaragua knows, from firsthand experience, that the United States mission in Managua, is among the CIA's principal accomplices and has encouraged and incited opposition elements within Nicaragua who share this administration's goal.

We are not talking about the legitimate, democratic, loyal opposition that opposes the Sandinistas' repressive tendencies and seeks to exercise democratic rights—such as freedom of speech, press, and assembly—to open up political space. That loyal opposition has gotten little attention or support from our Embassy. I am talking about the so-called opposition that openly supports United States policy and the Contras, and that actively seeks the violent overthrow of the Nicaraguan Government.

This opposition regularly uses our Embassy premises to verbally attack their government and to urge military aid for the Contras. All of us who have been there have sat through these gripe sessions arranged by the Embassy in which opposition members and Embassy personnel compete with each other in their condemnation of the Sandinista government. And by the way, these opposition figures show up at these Embassy sessions in broad

daylight, in their own cars, and nothing happens to them.

There has been a great deal of controversy about our Embassy's role in the recent Nandaime demonstration that precipitated the recall of ambassadors. Well, when I was in Managua last year as the head of a congressional delegation, the Embassy bused us to the scene of a seemingly staged street demonstration. We could clearly see from the bus; yet the Embassy exhorted us to get out and go over to the demonstration—despite the fact that our presence clearly might incite violence.

The United States Embassy in Managua is not a neutral observer of Nicaraguan politics. It is an active participant on the side that is killing civilians and running drugs to the United States. Those, too, are public facts. It has nothing to do with something someone may have learned in confidence.

I know of no other government in the world that would tolerate foreign diplomats openly and actively working with political elements allied to an armed, antigovernment movement and a foreign power that seeks the host government's violent overthrow. Certainly, our own Government would not.

It is the impropriety of United States policy toward Nicaragua that should be the issue—not the courage of the Speaker in telling the truth.

HOUSE RESOLUTION 558—FAIR EMPLOYMENT PRACTICES RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, today I am introducing along with Mr. FOLEY, Mr. MICHEL, Mr. COELHO, Mr. ANNUNZIO, Mr. HAWKINS, Mr. FRENZEL, Mrs. SCHROEDER, Mrs. MARTIN of Illinois, Mr. ROBERTS, Mr. BARTLETT, Mr. ECKART, and Mr. DURBIN, the Fair Employment Practices Resolution.

This resolution applies basic civil rights protection to employees in the House of Representatives. It is the product of contributions by the authors of employee protection legislation introduced in the 100th Congress: Chairman HAWKINS (H.R. 5060), Representative SCHROEDER (H.R. 4821), Representative MARTIN of Illinois (H.R. 4576), and Representative BARTLETT (H.R. 4821). Their proposals and suggestions during discussions held in recent months on the issue of employee protection were critical to the drafting of this resolution.

The Fair Employment Practices Resolution is scheduled for consideration under the suspension calendar this Monday, October 3.

The following is a brief summary of the resolution.

PROTECTION AGAINST DISCRIMINATION

The resolution provides all House employees and applicants for employment with protection against discrimination based on race, color, national origin, religion, sex—including marital or parental status—handicap, or age. This prohibition will not prevent a Member from taking into account an individual's domicile or political affiliation in making employment decisions.

OFFICE OF FAIR EMPLOYMENT PRACTICES AND REVIEW PANEL

An Office of Fair Employment Practices—the Office—is created to counsel, mediate, investigate and hear alleged violations. Also established is a review panel made up of four members of the House Administration Committee—two Democrats and two Republicans—two House officers appointed by the Speaker and two minority employees appointed by the minority leader.

PROCESS

The process to resolve complaints of violations of the antidiscrimination provision involves three steps.

First, counseling and mediation: An employee has 180 days from the time of an alleged violation to contact the Office of Fair Employment Practices to request counseling. The counseling period lasts for 30 days. At the end of the 30-day period the individual may proceed to mediation, also conducted by the Office.

Second, formal complaint and a request for a hearing: Not later than 15 days after the end of the counseling period, the individual may file a formal complaint with the Office. This may be followed by a request for a hearing, which will be on the record and which will allow the individual to be represented. A written decision is issued by the hearing officer within 20 days after completion of the hearing.

Third, final review by review panel: Either party may seek a final review by the review panel. The review panel will examine the record of the hearing by the Office, statements from the parties, and, if necessary, may hold its own hearing. After reviewing the record a written decision is submitted to both parties.

REMEDIES

The possible remedies provided by the resolution for application by both the Office and the review panel are:

First, monetary compensation, to be paid from the contingent fund of the House of Representatives, or from clerk-hire if a serious violation is found;

Second, injunctive relief;

Third, costs and attorney fees; and

Fourth, employment, reinstatement to employment, or promotion—with or without back pay.

The first step in this area was taken last March when the Committee on

House Administration adopted a procedure which provides similar protection to employees under the House Officers. This Adverse Action Procedure was created because of a commitment to authors of legislation in the 99th Congress to begin developing employee protections for the House of Representatives. A hearing held in August by the Personnel and Police Subcommittee on employee protection legislation marked the beginning of discussions on the next step: extending protection to all House employees. Meetings and negotiations involving the authors of the key legislation continued over the past 6 weeks and the resolution being introduced today is the result.

There is a clear need for the establishment of an employee protection procedure.

First, there is a basic issue of fairness raised when this body passes laws relating to employment which apply to the private sector and executive branch agencies but excludes the U.S. Congress. The House is admittedly a unique institution, but that is no reason to exempt it from those basic standards which we apply by law to other Americans. The Civil Rights Act, which the Fair Employment Practices Resolution reflects, was passed 24 years ago. It is time that the House adopt those basic civil rights protections which the rest of America has been enjoying for over two decades.

Second, lawsuits against Members of the House are possible because no internal procedure exists to remedy employee complaints of discrimination. With this procedure in place, the courts will not accept jurisdiction of discrimination lawsuits by House employees.

Today the only alternative in these situations other than a lawsuit is to go to the news media. But this option does not necessarily lead to a solution of a personnel problem. The Fair Employment Practices Resolution will give the employee time for counseling and mediation—which will likely resolve most cases. If the process continues to a hearing or to the review panel a written decision on the complaint will exist to establish the facts in the case.

Finally, without this procedure the pressure on the House will increase to adopt proposals which apply Federal employee protection laws to the House with enforcement by Federal agencies. One proposal which could result in the enforcement of the Fair Labor Standards Act by the Labor Department against the House of Representatives has already been adopted by the House Education and Labor Committee as part of the minimum wage amendments (H.R. 1834).

There are strong arguments based on the Constitution's speech or debate clause and the separation of powers

doctrine that executive branch agencies should not be allowed to interfere with the essential functions of the legislative branch. The Fair Employment Practices Resolution places the responsibility of enforcement within the House of Representatives, thereby preventing executive branch interference and avoiding constitutional problems.

The Fair Employment Practices Resolution is a very positive and long overdue step for the House of Representatives. The resolution represents a consensus among the authors of current legislation and it has the endorsement of the Democratic and Republican Leadership. I hope Members will join us in supporting the resolution when it is considered on the floor next week.

The following is a section-by-section summary of the resolution and the text of the resolution.

FAIR EMPLOYMENT PRACTICES RESOLUTION

Section 1. Short Title

The resolution is entitled the Fair Employment Practices Resolution

Section 2. Nondiscrimination in House of Representatives Employment

a) All House employees and applicants for employment are granted protection against discrimination based on race, color, national origin, religion, sex (including marital or parental status), handicap, or age.

b) Interpretations under subsection (a) shall reflect the principles of current law, as generally applicable to employment.

c) Subsection (a) does not require any Member of the House to employ any individual whose domicile is not in the district or State that the Member represents, nor does it prohibit the taking into consideration of political affiliation with respect to employment.

Section 3. Procedure for Consideration of Alleged Violations

Step I. Counseling and Mediation.

Step II. Formal Complaint, Hearing and Review by the Office of Fair Employment Practices.

Step III. Final Review by Review Panel.

Section 4. Establishment of Office of Fair Employment Practices

Personnel in the Office of Fair Employment Practices (the Office) shall be appointed by, and serve at the pleasure of, the Chairman and ranking minority party member of the Committee on House Administration, and shall be under the administrative direction of the Clerk of the House. Employees in the office shall conduct mediation and counseling, investigate formal complaints, and conduct hearings and review.

Section 5. Counseling and mediation

a) Not later than 180 days after an alleged violation is committed, an individual may request counseling by counselors in the Office, who shall provide information with respect to rights and related matters. The counseling period is thirty days. The employing authority is not notified until mediation begins or a formal complaint is filed.

b) If necessary mediation between the individual and the employing authority occurs after the counseling period.

Section 6. Formal Complaint, Hearing, and Review by the Office of Fair Employment Practices

a) Formal Complaint and Request for Hearing.—Not later than 45 days after a request for counseling, an individual may file a formal complaint with the Office. Not later than 10 days after filing a formal complaint, the individual may file with the Office a written request for a hearing on the complaint.

b) Hearing.—The hearing shall be conducted

(1) not later than 10 days after filing of the written request under subsection (a), except that the Office may authorize delay of not more than 30 days for investigation.

(2) on the record by an employee of the Office

(3) to the greatest extent practicable, in accordance with the principles and procedures set forth in sections 555 and 556 of title 5, United States Code, which sets forth guidelines on qualified representatives, regulations of hearings and disposition of procedural requests.

c) Decision.—Not later than 20 days after the hearing, the Office shall issue a written decision to the parties. The decision shall clearly state the issues raised by the complaint, and shall contain a determination as to whether a violation has occurred.

Section 7. Final Review by Review Panel

a) Not later than 20 days after issuance of the decision under section 6, any party may seek a final review of the decision by filing a written request with the Office. The final review shall be conducted by a panel constituted at the beginning of each Congress and composed of—

1) 2 elected officers of the House appointed by the Speaker

2) 2 employees of the House appointed by the Minority Leader

3) 2 members of the Committee on House Administration (one of whom shall be appointed chairman of the panel), appointed by the Chairman of that Committee; and

4) 2 members of the Committee on House Administration, appointed by the ranking minority party member of that Committee.

If any member of the panel withdraws from a particular review, the appointing authority for such member shall appoint another officer, employee, or Member of the House to be a temporary member of the panel for purposes of that review only.

b) The review under this section shall consist of a hearing, if considered necessary by the panel, an examination of the record, together with any statements or other documents the panel deems appropriate. The panel shall complete the review and submit a written decision to the parties and to the Committee on House Administration not later than 30 days after filing of the request under subsection (a).

Section 8. Resolution by Agreement

If the parties resolve the issues involved, the parties shall enter into a written agreement, which shall be binding and conclude the case under review by the Office under section 6 or the panel under section 7.

Section 9. Remedies

The Office or the Review Panel may order the following remedies:

1) Monetary compensation, to be paid from the contingent fund of the House of Representatives.

2) In the case of a serious violation, a payment in addition to compensation under paragraph (2), to be paid from the clerk-hire allowance of a Member of the House, or

from personnel funds of a committee of the House or other entity, as appropriate.

3) Injunctive relief.

4) Costs and attorney fees to be paid from the contingent fund.

5) Employment, reinstatement to employment, or promotion (with or without back pay)

Section 10. Costs of Attending Hearings

An individual with respect to whom a hearing is held under this resolution shall be reimbursed for actual and reasonable costs of attending the hearing, if the individual resides outside the District of Columbia.

Section 11. Prohibition of Intimidation

Any intimidation of, or reprisal against, any person by an employing authority because of the exercise of a right under this resolution is a violation of section 2.

Section 12. Closed Hearings and Confidentiality

All hearings shall be closed. All information relating to any procedure under this resolution is confidential, except that a decision of the Office under section 6 or a decision of a review panel under section 7 shall be published, if the decision constitutes a final disposition of the matter.

Section 13. Exclusivity of Procedures and Remedies

The procedures and remedies under this resolution are exclusive except to the extent that the Rules of the House and the rules of the House Committee on Standards of Official Conduct provide for additional procedures and remedies.

Section 14. Definitions

1) "employment position" means a position the pay for which is disbursed by the Clerk of the House, and any other employment position in a legislative service organization or other entity that is paid through funds derived from the clerk-hire allowance;

2) "employing authority" means the Member of the House or elected officer of the House with the power to appoint the covered employee;

3) "Member of the House of Representatives" means a Representative in or Resident Commissioner to the Congress;

4) "elected officer of the House of Representatives" means an elected officer of the House of Representatives (other than the Speaker)

H. RES. 558

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Fair Employment Practices Resolution".

SEC. 2. NONDISCRIMINATION IN HOUSE OF REPRESENTATIVES EMPLOYMENT.

(a) IN GENERAL.—Personnel actions affecting employment positions in the House of Representatives shall be made free from discrimination based on color, national origin, religion, sex (including marital or parental status), handicap, or age.

(a) INTERPRETATIONS.—Interpretations under subsection (a) shall reflect the principles of current law, as generally applicable to employment.

(a) CONSTRUCTION.—Subsection (a) does not prohibit the taking into consideration of—

(1) the domicile of an individual with respect to a position under the clerk-hire allowance; or

(2) the political affiliation of an individual with respect to a position under the clerk-

hire allowance or a position on the staff of a committee.

SEC. 3. PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

The procedure for consideration of alleged violations of section 2 consists of 3 steps as follows:

(1) Step I, Counseling and Mediation, as set forth in section 5.

(2) Step II, Formal Complaint, Hearing, and Review by the Office of Fair Employment Practices, as set forth in section 6.

(3) Step III, Final Review by Review Panel, as set forth in section 7.

SEC. 4. ESTABLISHMENT OF OFFICE OF FAIR EMPLOYMENT PRACTICES.

There is established an Office of Fair Employment Practices (hereafter in this resolution referred to as the "Office"), which shall carry out functions assigned under this resolution. Employees of the Office shall be appointed by, and serve at the pleasure of, the Chairman and the ranking minority party member of the Committee on House Administration, acting jointly, and shall be under the administrative direction of the Clerk of the House of Representatives. The Office shall be located in the District of Columbia and shall begin operation not more than 30 days after the date on which this resolution is agreed to.

SEC. 5. STEP I: COUNSELING AND MEDIATION.

(a) COUNSELING.—An individual aggrieved by an alleged violation of section 2 may request counseling by counselors in the Office, who shall provide information with respect to rights and related matters under that section. A request for counseling shall be made not later than 180 days after the alleged violation and may be oral or written, at the option of the individual. The period for counseling is 30 days. The Office may not notify the employing authority of the counseling before the beginning of mediation or the filing of a formal complaint, whichever occurs first.

(b) MEDIATION.—If, after counseling, the individual desires to proceed, the Office shall attempt to resolve the alleged violation through mediation between the individual and the employing authority.

SEC. 6. STEP II: FORMAL COMPLAINT, HEARING, AND REVIEW BY THE OFFICE OF FAIR EMPLOYMENT PRACTICES.

(a) FORMAL COMPLAINT AND REQUEST FOR HEARING.—Not later than 15 days after the end of the counseling period, the individual may file a formal complaint with the office. Not later than 10 days after filing the formal complaint, the individual may file with the Office a written request for a hearing on the complaint.

(b) HEARING.—The hearing shall be conducted—

(1) not later than 10 days after filing of the written request under subsection (a), except that the Office may authorize a delay of not more than 30 days for investigation;

(2) on the record by an employee of the Office; and

(3) to the greatest extent practicable, in accordance with the principles and procedures set forth in sections 555 and 556 of title 5, United States Code.

(c) DECISION.—Not later than 20 days after the hearing, the Office shall issue a written decision to the parties. The decision shall clearly state the issues raised by the complaint, and shall contain a determination as to whether a violation of section 2 has occurred.

SEC. 7. STEP III: FINAL REVIEW BY REVIEW PANEL.

(a) IN GENERAL.—Not later than 20 days after issuance of the decision under section 6, any party may seek final review of the decision by filing a written request with the Office. The final review shall be conducted by a panel constituted at the beginning of each Congress and composed of—

(1) 2 elected officers of the House of Representatives, appointed by the Speaker;

(2) 2 employees of the House of Representatives appointed by the minority leader of the House of Representatives;

(3) 2 members of the Committee on House Administration (one of whom shall be appointed as chairman of the panel), appointed by the Chairman of that Committee; and

(4) 2 members of the Committee on House Administration, appointed by the ranking minority party member of that Committee.

If any member of the panel withdraws from a particular review, the appointing authority for such member shall appoint another officer, employee, or Member of the House of Representatives, as the case may be, to be a temporary member of the panel for purposes of that review only.

(b) REVIEW AND DECISION.—The review under this section shall consist of a hearing (conducted in the manner described in section 6(b)(3)), if such hearing is considered necessary by the panel, and an examination of the record, together with any statements or other documents the panel deems appropriate. A tie vote by the panel is an affirmation of the decision of the Office. The panel shall complete the review and submit a written decision to the parties and to the Committee on House Administration not later than 30 days after filing of the request under subsection (a).

SEC. 8. RESOLUTION BY AGREEMENT.

If, after a formal complaint is filed under section 6, the parties resolve the issues involved, the parties shall enter into a written agreement, which shall be effective—

(1) in the case of a matter under review by the Office under section 6, if approved by the Office; and

(2) in the case of a matter under review by a panel under section 7, if approved by the panel.

SEC. 9. REMEDIES.

The Office or a review panel, as the case may be, may order the following remedies:

(1) Monetary compensation, to be paid from the contingent fund of the House of Representatives.

(2) In the case of a serious violation, a payment in addition to compensation under paragraph (2), to be paid from the clerk-hire allowance of a Member of the House, or from personnel funds of a committee of the House or other entity, as appropriate.

(3) Injunctive relief.

(4) Costs and attorney fees.

(5) Employment, reinstatement to employment, or promotion (with or without back pay).

SEC. 10. COSTS OF ATTENDING HEARINGS.

An individual with respect to whom a hearing is held under this resolution shall be reimbursed for actual and reasonable costs of attending the hearing, if the individual resides outside the District of Columbia.

SEC. 11. PROHIBITION OF INTIMIDATION.

Any intimidation of, or reprisal against, any person by an employing authority because of the exercise of a right under this resolution is a violation of section 2.

SEC. 12. CLOSED HEARINGS AND CONFIDENTIALITY.

All hearings under this resolution shall be closed. All information relating to any procedure under this resolution is confidential, except that a decision of the Office under section 6 or a decision of a review panel under section 7 shall be published, if the decision constitutes a final disposition of the matter.

SEC. 13. EXCLUSIVITY OF PROCEDURES AND REMEDIES.

The procedures and remedies under this resolution are exclusive except to the extent that the Rules of the House of Representatives and the rules of the House Committee on Standards of Official Conduct provide for additional procedures and remedies.

SEC. 14. DEFINITIONS.

As used in this resolution—

(1) the term "employment position" means with respect to the House of Representatives, a position the pay for which is disbursed by the Clerk of the House of Representatives, and any employment position in a legislative service organization or other entity that is paid through funds derived from the clerk-hire allowance;

(2) the term "employing authority" means, the Member of the House of Representatives or elected officer of the House of Representatives with the power to appoint the employee;

(3) the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress; and

(4) the term "elected officer of the House of Representatives" means as elected officer of the House of Representatives (other than the Speaker and the Chaplain).

TRIBUTE TO THE HONORABLE GENE TAYLOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. COLEMAN] for 60 minutes.

GENERAL LEAVE

Mr. COLEMAN of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order tonight.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLEMAN of Missouri. Mr. Speaker, I took this minute tonight to honor one of our retiring Members of Congress, GENE TAYLOR, my colleague from the State of Missouri. GENE, who has served in the Congress for 16 years, who has risen to the position of ranking Republican on the Committee on Post Office and Civil Service and who is one of our stalwarts on the Committee on Rules, is leaving the Congress after an exceptional career, and I know so many of his colleagues and Members here are very sorry to see GENE make that decision to leave the House.

I would like to take this moment to have some of our colleagues participate in a special order that reflects

back on GENE TAYLOR and what he means to this House and to us as individuals.

GENE was born in the southwest part of our State that he now represents in the State, near his hometown of Sarcocoxie. GENE eventually became mayor of that small town in southwest Missouri. He was a schoolteacher. Now, I do not know if I can imagine GENE TAYLOR being my teacher in school, but I bet he kept the attention of the students like he has kept the attention of his colleagues through the years.

GENE was an automobile dealer before he was elected to the House, and I never had the opportunity of buying a car from GENE, but I bet that was an experience as well. I did know GENE as our national committeeman and as national committeeman GENE TAYLOR visited many areas of our State and lent his support to bringing back and revitalizing the Republican Party in our State.

I know the first time I had a chance to meet GENE TAYLOR was in 1968 during a political campaign which at that time was going to eventually elect the first statewide Republican in Missouri in over 25 years. I was working for that candidate, the gentleman from Missouri, Mr. DANFORTH, who became attorney general and now a senior Senator, and I remember how the campaign awaited with baited breath the arrival of GENE TAYLOR for a strategy session to see if we could get this young man elected attorney general, and GENE arrived with good, positive suggestions for newspapers to go see and what to do in this campaign, and through that type of support and wisdom, the gentleman from Missouri, Mr. DANFORTH, was elected, and many of us have felt that type of wisdom through the years.

I have attended probably well over 20 Lincoln Days in the State of Missouri, and while we may have Governors and we may have Presidents and Congressmen and all statewide types of officials that all make comments, the ones that really count and the ones that are looked forward to are from our colleague, GENE TAYLOR.

I would hate to follow him in any act. I would hate to follow him on stage at any time, and I know that he has been able to instill in the State of Missouri's Republican Party the type of respect we have for him here, but in such a way there is not any person who does not like GENE TAYLOR. He does that with Republicans, he does it with Democrats, he does it with those who agree with him and those that might disagree philosophically, but not personally, which is why I have here tonight many statements from Democrats as well as Republicans who think so highly of our colleague.

GENE is a dedicated individual and not one that necessarily seeks the limelight.

That is really something these days when so much of the activity of Congress and of politicians is measured on how many times a Member gets on television or how many times a name appears in the national print media. GENE TAYLOR does his job, the back job that needs to be done to carry this House and legislation through. He does it in committee, he does it with his colleagues, he does it all the time and we are certainly going to miss that. GENE has been busy for the last 16 years, not just in Washington, but believe it or not GENE has returned every weekend with the exception of one or two during the 16 years that we have been in session, back to his home district in southwest Missouri. I do not know too many Members of Congress who have done that for 16 years, and certainly he deserves a little bit of rest and consideration for having accomplished all of that.

Now the reason that GENE TAYLOR gets along with everybody in the world that I know is that GENE's humor and down-home ways have really made it an opportunity for people to really love and to like GENE TAYLOR. GENE will stand usually back behind the back rail and dispense wisdom throughout the sessions here in kind of a humorous sort of way and he makes his point the same way he makes it in committee, the same way as on the floor of the House or in personal conversations. He does it by usually asking a question that might be asked by a constituent from the Ozarks.

Now I do not know if all the people that GENE has mentioned are in fact real people or some he has made up, but regardless he gets the point across and I suspect that it is maybe half and half. Half are real and half are fictitious. The point is when we get all together here, we have glorious debates and we have studies and commissions and we have many citations of fact and philosophy. GENE TAYLOR cuts through to the heart of the matter by asking a simple question that would be asked by a constituent of his or others that gets to the heart of the matter so we stop and wonder if what we are doing is the correct thing, the right thing, something the taxpayers would want to have happen, would they pay for it, something that we need in this country? That is the way GENE TAYLOR has approached his philosophy of Government, how he has approached his way of being a Congressman, and I must say it has been quite successful for him and all of us have taken a lesson from him. His humor knows no boundaries. I cannot tell all the stories here tonight, but GENE likes to tell them on himself as well as

on anybody else, and I remember one which I will repeat.

That was the time that GENE says he got a call from a constituent who was exercised and upset that her trash had not been picked up that particular week, and GENE would take the call and he visited with her for a while and said that it was nice of her telling him about the problem but the trash is not a Federal problem, it is a local problem, had she talked to her city councilman, and she no, she did not want to start that high.

So GENE has told that story and of course we pick up the stories and tell them around the Nation, and we would be in trouble if GENE went out and told the story that we tell in our own district and try to take credit for his own story.

We have honored this gentleman before. There are not too many of us who leave this House voluntarily that already have a Federal building named after them. We have bestowed the honor to GENE TAYLOR. There is a Federal building in Springfield, MO, that has his name on it.

Common sense, down-home humor, the ability to get things done, wisdom, respect, love and affection. These other things that we think about when we think about GENE TAYLOR.

I want to yield to some of my friends and colleagues now, and friends of GENE's as they want to make a statement and spend a few moments reminiscing, saying thank you, GENE, and goodbye, and we now want to recognize those colleagues.

Mr. Speaker, I yield to my fellow colleague from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, I thank the gentleman for yielding, and I especially thank him for taking this special order for a very great Missourian, GENE TAYLOR.

You know, in this work that we do, this legislative work, we have knowledge of procedure, we have knowledge of substance, but the one catalyst that makes this work is this thing we call good will. The good will of an individual legislator and all that goes with it is what makes this place work and makes this democracy such a key place in this world.

GENE TAYLOR is the very epitome of legislative good will. Partisanship is used at the correct times as all of us do, but he has that innate ability to know what is good for the Nation, the good will that is the result of legislation that we work and craft and pass and send to the President, and he has done such a good job in expressing the good will that he has that has caused on many occasions legislation to become law where otherwise it would not have been.

So I say his whole star is that of good will, but there are other things about GENE TAYLOR I would like to touch upon, and that is his sincerity.

He is truly one of the most sincere individuals I have ever known. He wants to do right for his district. He wants to do right for the State of Missouri. He wants to do right for America. His record here and those of us that remember him after he leaves this body will be one who sincerely tried to live up to his oath to the Constitution and live up to the best hopes of his constituents, those who elected him.

I would also wish to mention something personal to me, and that is his friendship. We will enjoy his friendship long after he leaves and we will also have memories, as you just mentioned, the fun times, the good times and the stories that he tells that are more than stories, they emphasize things he is trying to get across to us in a very humorous and also very subtle, sincere way.

GENE TAYLOR's friendship stretches across this aisle. Democrats are so fond of him as Republicans are so fond of him. He is truly the best possession, and that is a friend. We feel that we possess him and I heard him speak on friendship not so long ago at the Member's Prayer Breakfast. Knowing his sincerity with which he takes friendship, we also know that in order to have a friend you must be one. GENE TAYLOR is one.

I wish him the best as my friend as a friend of so many Missourians, and a friend of so many people, both Democrats and Republicans, we wish him and we wish Dorothy, his charming wife, the very, very best in years ahead.

Mr. COLEMAN of Missouri. Mr. Speaker, I thank the gentleman for his contribution, and I yield to my colleague, the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, I want to thank the gentleman from Missouri for yielding and commend him for taking the time to say a few words about our good friend, GENE TAYLOR.

As most of you know I have been here now for 30 years and I have served with hundreds and hundreds of Members of Congress, but there is only one GENE TAYLOR in all those numbers. I think that says something about the gentleman that we speak about tonight, because he is one of the select few. I do not know how you could describe GENE TAYLOR or how I could other than to say in my humble judgment he is a second Will Rogers, putting him in a category by himself, bringing a chuckle to anybody he talks to. I do not care who it is, whether on this side of the aisle or the other side of the aisle, he always has a twinkle in his eye, and I just wish that people on the outside of this Chamber could know GENE TAYLOR like we know him.

□ 1930

And certainly in his district in the Ozarks they know him and they send him back by increasing margins time after time.

But I think we need more GENE TAYLOR's in this day and age to bring happiness and good will to more and more people and he certainly has done that in this Chamber.

We cannot speak about GENE TAYLOR without recalling how he mimics, in good will, our chairman, Chairman PEPPER. And he makes our chairman laugh. As a matter of fact we have said that he speaks more like our chairman than the chairman does. GENE is a lucky fellow because he has got a wonderful mate in Dorothy. I know the first time that my wife, Rosemary, met Dorothy they hit it off real well and they spent a lot of time together. And he is lucky to have somebody like that when he goes back home into the Ozarks—Sarcoxie—and there is a Sarcoxie. I looked it up on the map. As the gentleman from Missouri [Mr. COLEMAN] mentioned, some of these people that GENE refers to in his stories, they are real people. A lot of people do not believe that, but I remember one time when Congressman CRANE was out there in his district, he asked about a certain individual who GENE was always telling stories about and he was at that meeting. So they are real people. As a matter of fact, in my district, my former district, we had a town called Van Wert which we used to call the peony capital of the world. You know, Sarcoxie took that title from us. They grow beautiful peonies down there besides beautiful people.

GENE and I attended several conventions. As a matter of fact, we have been roommates together at several conventions and got to know one another very, very well.

In addition to bringing joy and laughter to this place, GENE TAYLOR has brought a dedication and a sincerity that shows all the time. I have observed him in the Committee on Rules time after time and he really does his homework. When these bills come up there, you could kind of let the other fellow do the work and you not do your homework, but GENE does his homework. He has been an outstanding member of the Committee on Rules, he is always a thoughtful individual.

Certainly this body is going to miss GENE TAYLOR's sense of humor and his ability to get the best from all of us.

Certainly as he goes back home he will be spending time in that new vacation home that he has, doing some fishing and certainly he deserves catching some of those big fish, and I know he will do exactly that.

Certainly he epitomizes all those characteristics that I believe we seek in an individual.

So I just want to wish GENE and his good wife, Dorothy, the best of everything as they go back to Missouri.

I thank the gentleman for allowing us this opportunity to pay tribute to our friend GENE.

Mr. COLEMAN of Missouri. Referring to what the gentleman from Ohio just mentioned, about GENE's making impressions, he is an impressionist. That is what he does. He can make the chairman's impression sound just like the chairman speaking.

Mr. PEPPER, last night at the reception for GENE, made some very kind comments and his last comments were that GENE TAYLOR can do CLAUDE PEPPER better than CLAUDE PEPPER can do CLAUDE PEPPER. I think that is probably true.

DAN ROSTENKOWSKI said it is always great when GENE is invited to a social function in Washington; not only do you get GENE TAYLOR you get CLAUDE PEPPER too. So that is for sure.

I yield to the gentleman from Arkansas, Mr. HAMMERSCHMIDT.

Mr. HAMMERSCHMIDT. I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman from Missouri for having this special order so that we can pay tribute to our distinguished colleague, Congressman GENE TAYLOR.

GENE is one of the finest men in Government today, and I feel honored that I have been able to serve with him for all of his 16 years in the House. Enjoying the close friendship and wise counsel of GENE TAYLOR has been one of the highlights of my service in this body. He is a man of integrity, compassion and he happens to be blessed with an inordinate amount of just plain common sense.

The people of Missouri's Seventh Congressional District will greatly miss the helping hand and generous spirit of GENE TAYLOR when he retires at the end of this Congress.

His southwest Missouri district borders my district in northwest Arkansas, and we have worked together for years on projects affecting both of our districts. So, I know very well just how hard GENE has worked for his folks back home.

When the veterans in his district needed his help, he responded and used his considerable skill and influence to win the battle for the outpatient clinic in Mount Vernon.

When U.S. Highway 71 needed upgrading to four lanes, GENE helped get the needed highway funds to widen the road from the Arkansas line to Carthage, MO.

Upgrading this great highway will provide safety, convenience, and economic development all along its corridor in northwest Arkansas and Missouri. As a member of the Public Works Committee and later, the Rules Committee, GENE's leadership was in-

valuable to our success with the Highway 71 project.

GENE loves the Ozarks and loves helping his people in that region. Frankly, part of his uniqueness has been his ability to bring his constituents to Washington in his marvelous stories about them.

After hearing time and again the warm, folksy and often humorous stories about these people, many of us felt like we knew them first hand. Actually, I have had the opportunity to meet some of them, and they are every bit as delightful as GENE described them.

So, in a sense, when GENE leaves—and we hope he won't get too far away—we will be figuratively saying goodbye to folks like J.D. Everetts, Smokey Burkett, Luther Camp, Leggs Luna, Jim Tatum, Horace Nations, Lucky Cantrell, Dewey Hankins, Maggie Hall, Jimmy Willis, Maude Freeland, and dozens of others from GENE's beloved Missouri. I've had the pleasure of knowing some of these folks personally but through GENE's ability to portray them, I imagine they would be surprised if they knew how many Members of Congress know them too. Some of these folks have now passed on but they still live in our memories because of GENE.

We are going to miss those folks and the GENE TAYLOR yarns that have brought them so vividly to us in these Chambers.

We are also going to miss the good, solid, commonsense judgment and the informal, accessible, and very effective legislative style of GENE TAYLOR.

GENE, as you conclude your great career in this Chamber, I wish you and Dorothy the very best in the months and years ahead.

Mr. COLEMAN of Missouri. I do not know how the gentleman from Arkansas could have gotten through all of that stuff about highways and various other things without speaking about the fish hatchery. He will have to amend his remarks because the fish hatchery has taken on monumental importance in this body from time to time as I recall.

Mr. Speaker, I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. I thank the gentleman from Missouri for reserving this time to honor our friend and colleague.

Mr. Speaker, I want to thank the gentleman from Missouri [Mr. COLEMAN] for reserving this time to honor our friend and colleague, GENE TAYLOR, who after serving in the House since 1972 has decided its time to go back home to the Ozarks.

Speaking as a member from the Rules Committee where GENE has sat as a member for the past 8 years, the committee is not only losing a distinguished and knowledgeable member,

but also a member who has built warm and lasting friendships there.

As the Rules Committee meetings open, I can always turn to the right end of the table for a warm smile, a cordial greeting, or a funny story.

Mr. Speaker, not all those stories bear retelling in this formal Chamber, but the departure of the Will Rogers of the Rules Committee will make our sessions more somber.

It is characteristic of GENE that his service in the House has been on the Public Works Committee, the Post Office Committee, and Rules. None are committees that get you on network news. Rather they are committees where you have a real chance to serve your district, which is what GENE came here to do.

We are all aware of GENE's career. During his rise to ranking minority member of the Committee on Post Office and Civil Service GENE has become our in-house expert on Civil Service and Federal retirement programs. It is safe to say that without GENE's input and cooperation back in 1978, one of the most important Civil Service bills that Congress had dealt with at that time, the Civil Service Reform Act of 1978, would not have become a reality.

Besides GENE's service on the Post Office Committee, GENE also served 8 years on the Public Works Committee. The Rules Committee has benefited enormously from the expertise he brought from that service.

Mr. Speaker, over the years that I have had the pleasure to work with GENE both socially and professionally, I have felt assured of two things when dealing with GENE: Even though he might disagree on an issue, he would be willing to cooperate to see if a fair solution could be worked out and that, when everything was over, we could walk away with a smile, and the knowledge that friendship is stronger and lasts longer than any disagreement.

And friends GENE has—that was never more evident than at last night's reception honoring our friend. Two of our most distinguished chairmen, Senator PEPPER and Chairman ROSTENKOWSKI joined a number of Members from both sides of the aisle to pay tribute to GENE in a genuine showing of affection for a man who will be missed by all.

As GENE returns home to Sarcoxie, MO, I am reminded of GENE's observation, when he told someone once, "people in Sarcoxie are a lot smarter than people in Washington."

"How do you figure that?" his visitor asked.

"Everyone in Sarcoxie knows where Washington is," GENE responded, "but no one in Washington knows where Sarcoxie is."

As many of us know, GENE was a car dealer before he came to Congress,

and perhaps it describes him best to say he is the kind of guy I would buy a used car from.

Mr. Speaker, again I want to thank the gentleman from Missouri [Mr. COLEMAN] for offering us this opportunity to express our thanks and best wishes to GENE for his friendship over the years and for good health to him and his family.

Mr. COLEMAN of Missouri. I thank the gentleman very much for his contribution.

Mr. Speaker, I yield to the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Speaker, I want to join my colleagues in paying tribute to our friend, Congressman GENE TAYLOR of Missouri's Seventh Congressional District, who is retiring from the House at the end of the 100th Congress. GENE and his lovely wife, Dorothy, will be found at their lakeside cottage at Table Rock Lake in the Ozarks, enjoying a well-deserved rest after many years of dedicated public service.

I'll bet GENE will be on the lake teaching his six grandchildren how to fish and telling them his famous Ozark stories just as often as he can.

As one who has served with GENE since he first took his seat in 1973, and who has worked closely with him since he became a member of the Rules Committee in 1980, I am really going to miss him when the 101st Congress convenes in January of next year.

GENE TAYLOR's good qualities and virtues are many, but I just want to say a few words about two aspects of his personality and character. The first is his constant good humor and ability to maintain a calm and cheerful outlook whatever the level of dispute, disagreement, or stress may be around him. GENE not only remains calm and collected in the midst of confusion, he can usually be relied upon to tell a humorous, Ozark-inspired story that, by way of analogy, is right to the point at issue and shows the way to a solution after the laughter has died down. GENE TAYLOR's Ozark stories are a legend around here, and they are invariably funny and well-told, but their greatest merit is that they reflect a commonsense point of view that is sometimes in short supply in our deliberations.

In this way, GENE TAYLOR has been a good teacher for all of us, and we are going to miss these lessons in common sense, sometimes disguised as funny country stories.

Another of GENE's attributes I want to mention is his hard work and ability to achieve good results as a Member of Congress.

Congressman TAYLOR's outstanding service on the Rules Committee is only a part of his fine career. As ranking Republican member of the House Committee on Post Office and Civil Service, he played important leader-

ship roles in the enactment of the Civil Service Reform Act of 1978, the Social Security Act Amendments of 1983, and the creation of the new Federal Employees Retirement System. In addition to these prominent laws, Congressman TAYLOR worked quietly and tirelessly for the flight service station specialists who provide essential flight services to general aviation at our smaller airports. A few years back, Congressman TAYLOR made sure they will get Federal employee retirement benefits to which they were previously not entitled. GENE got the job done—that's the kind of Congressman he has been since his first election to the House. Another recent example is the funding he obtained for the Veterans' Administration Outpatient Clinic in Mount Vernon, MO, in his district, which will be dedicated this fall.

So, I am going to miss GENE after the Congress adjourns a few weeks from now. A true-blue Republican, he has been a staunch ally on the Rules Committee and is a good and loyal friend. Because he is a hard-working Congressman and because of his positive and genial outlook, his sense of humor, and his superb story-telling talent, GENE TAYLOR is good company, and I am going to miss him. You are a special person, GENE, and I salute you, my friend. All the best in the many years that lie ahead for you, your lovely wife, Dorothy, and your family. Keep in touch, pal, and good fishing.

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Mr. COBLE. Mr. Speaker, will the gentleman yield?

Mr. COLEMAN of Missouri. I yield to the gentleman from North Carolina.

Mr. COBLE. Mr. Speaker, I, too, want to express thanks to the gentleman from Missouri [Mr. COLEMAN] for having taken this special order to honor our friend.

Before I start, I want to say a word to the distinguished gentleman from Arkansas [Mr. HAMMERSCHMIDT]. As he reeled off the names of those luminaries in the Ozarks, I believe he failed to include the inimitable Sister Ledbetter. She deserves her place in the Sun as well.

About 4 years ago, let me say to the gentleman from Missouri and to my friends, I was standing back at the rail here and GENE TAYLOR was in the well of the House speaking to a full House. Unlike most of the times we are here as a body, everyone was quiet. I was standing next to then Congressman Jim Broyhill, later Senator Jim Broyhill. He placed his arm on my shoulder and he said, "Howard, the three best wits in the Congress are ALAN SIMPSON, Mo UDALL, and BOB DOLE, but," he said, "the best storyteller, hands down, is GENE TAYLOR, and they are waiting for a story."

The issue was contemporaneous recordkeeping, and we all remember that abominable exercise. But when GENE got to the punch line, the Members of this House erupted with laughter, expressing their approval for their beloved storyteller.

Our Chaplain, Jim Ford, whom I saw on the House floor earlier—I am not sure he is here now—said to me about 4 or 5 months ago, "I have heard Congressman TAYLOR tell the same story 5 times and," the Chaplain said, "it was just as funny the fifth time as it was the first time."

Recently, as the gentleman from Missouri [Mr. SKELTON] mentioned, GENE TAYLOR was our guest speaker at our weekly Congressional Prayer Breakfast. He was introduced to this group by our friend, Congressman BOB STUMP, and after Mr. STUMP gave some interesting bio information concerning GENE TAYLOR, he then looked to the members of the Prayer Breakfast group and said, "Ladies and gentlemen, I am pleased to present to you, GENE TAYLOR, the Sage of the Ozarks."

GENE TAYLOR's success with stories, let me say to my friends, violates the old adage that a story must be vulgar or risqué to be humorous. GENE TAYLOR's stories are neither vulgar or risqué. GENE TAYLOR's are not X-rated. His stories, rather, could be told at a Sunday school picnic, and I am sure they have been many times.

As I look across the floor, I see many of his friends on both sides of the aisle, and that reinforces the fact that this man has been blessed with a special, unique talent, a special, unique ability to entertain others. He is in fact our ambassador of goodwill.

Mr. Speaker, as he prepares to leave this, the People's House, we wish our best to Dorothy and her husband, the Sage of the Ozarks.

Mr. Speaker, I thank the gentleman for yielding.

Mr. COLEMAN of Missouri. Mr. Speaker, I thank the gentleman from North Carolina [Mr. COBLE] very much.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. COLEMAN of Missouri. Mr. Speaker, I am delighted Senator PEPPER has joined us, and I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from Missouri for yielding to me.

Mr. Speaker, it has been the good fortune of the Rules Committee to have GENE TAYLOR for many, many years as one of its distinguished members. It will be a source of grave regret to me as he and two other of his distinguished colleagues, including the distinguished gentleman from Ohio [Mr. LATTI], who is on the floor now, will be leaving our committee.

GENE TAYLOR has contributed immeasurably to that committee. He is knowledgeable about the subjects we discuss, he is constant in his attendance, and he is very knowledgeable about what he proposes to do and what the committee does. GENE TAYLOR is an extremely able member of that committee and of the House of Representatives.

I know of no man who is more deeply dedicated to the public interest than GENE TAYLOR. He is a man who understands our country and what it is all about. He is a man who comes from the soil of this blessed America, and, therefore, he has in his heart the American dream.

He has been a magnificent contributor not only to the work of the Rules Committee but to the House of Representatives itself in the many years he has been here.

In his personal capacity, I have a peculiar regret that GENE TAYLOR is leaving the House. He is my best imitator in the Congress, and without GENE, I do not know who is going to perform that role. GENE can tell my stories better than I can, as he illustrated yesterday evening down in the Rayburn Plaza, when he told a couple of my stories, to the delight of the audience, in a much better way than I could have provided if I had told them myself. So if GENE TAYLOR is going to leave us, I must insist that he leave behind an imitator who would be somewhat comparable to himself in his excellence as an imitator, because otherwise I am going to be very lonesome without GENE TAYLOR.

GENE TAYLOR is a charming man personally. He has that wonderful smile, which reveals an open and compassionate heart. He is a man who likes to get along with his fellow Americans and likes to make his contribution to a greater and a better country.

I regret exceedingly that GENE TAYLOR is leaving us. I am sorry to see him go. Whatever his motives are that prompt him to depart from us, I hope he might yet change his mind, but if he does not, I want him to carry with him the deep affection of his colleagues in this House, and especially of the chairman and the members of the Rules Committee, of which he has been such a distinguished member.

So, GENE and your lovely wife, I wish that you may enjoy the years ahead. I hope you have a long time, good health, great happiness, and the satisfaction of knowing that as a public servant you lifted to a higher ground the country you love so much.

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. COLEMAN of Missouri. I certainly do yield to my colleague, the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Missouri, Mr. COLEMAN, for arranging this special

order enabling us to honor GENE TAYLOR.

Congress is not going to be the same without our good colleague and dear friend, the gentleman from Missouri, GENE TAYLOR. And as much as we are going to miss him, we know that his retirement is duly earned.

As the ranking minority member of the Post Office and Civil Service Committee, GENE TAYLOR has given real meaning to the term "bipartisanship" in the development of meaningful legislation. He and another of our colleagues, the gentleman from Missouri, Mr. CLAY, were the key players in putting together the Missouri compromise, circa 1987, better known as Hatch Act reform. Because of their herculean efforts, their Hatch Act reform measure won approval in this body with more than 300 affirmative votes. GENE also played an important role in crafting legislation creating the new Federal Employees' Retirement System Act of 1986.

We will long remember and will surely miss GENE's "Down Home" yarns with which he often lightened our burdens.

GENE, we will miss you along the back rail, the Post Office and Civil Service Committee, the Rules Committee, the Congress and Americans everywhere are going to miss your leadership.

GENE, have a great time back in the Ozarks, on your Sarcosie farm and we hope you won't make yourself scarce around here.

Mr. Speaker, we all join in wishing Dorothy and GENE a retirement filled with happiness and good health.

Mr. ROBERTS. Mr. Speaker, will the gentleman yield?

Mr. COLEMAN of Missouri. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding, and I thank him for reserving this very special time for our very special friend, GENE TAYLOR. I should revise and extend, but I typed this up on my 1947 Underwood that I got from Maude Freeland, as opposed to a word processor that everybody uses here in this body now. I typed it up myself, so, by golly, I am going to read the whole thing.

Mr. Speaker, I am most happy to have this opportunity and privilege to take part in this tribute to my good friend and colleague, GENE TAYLOR, who has announced his retirement from the Congress.

Now, when I say "most happy" I am not getting into the lilly gilding business, I mean I have been looking forward to this; not to GENE's retirement mind you, but this opportunity that lets me say some things about GENE where for once he can't do me one better with one of his stories. And, I

don't think I've seen a time where anyone ever did that.

Where to start with the man from Sarcoxie, MO? Well, for sure the good people of the Seventh District sent an uncommon man to represent them in Washington. Without getting into a full blown discussion of the merits, style and contributions of individual Members of this august body, GENE has not been what I call a "floor person," one of our 1-minute musketeers, or a self-declared expert on everything from aardvarks to zebras that comes to this floor. If you are what we now call a C-Span regular, GENE TAYLOR has not played a starring role. But, if awards were handed out, he sure would be in the running for best homework, common sense, and results.

When he had something to say it was usually within his committee assignment, or an issue upon which he had done his homework and legislation to which he brought considerable expertise. In other words, when GENE TAYLOR took the floor or spoke in committee he knew what he was talking about and people paid attention.

I especially want to thank him for his help as a most influential Member of the House Rules Committee. His respected voice enabled many of us on the House Agriculture Committee to consider legislation vital to our farmers and ranchers in such a way that we could achieve progress to benefit rural America.

Mr. Speaker, my colleagues will rightfully stress GENE's many accomplishments—named by Time magazine as the Quality Award Automobile Dealer in his private life profession—his work in behalf of many local, civic and religious organizations back home—to a whole laundry list of awards and honors he has received from various organizations here in Washington who believe in fiscal responsibility, rural and small town America, private enterprise and just plain old fashioned American patriotism. To achieve this recognition he did it the old fashioned way, he earned it, coming through the appropriate chairs within our Republican Party and through bipartisan respect from his colleagues.

Now, all of that is going to be placed in the record of these proceedings and I hope written up throughout GENE's district. And, as Mr. Lincoln said, "It is altogether fitting and proper that we do this." But, I suspect, that while we are in the business this evening of putting up GENE TAYLOR's name in lights, that later on GENE would be taking it all down from the marquee with a stepladder. GENE TAYLOR on a stepladder? I might even pay to see that.

But, the truth of it is, all of this fuss we are making over GENE makes him as nervous as the proverbial long-tailed cat in a room full of rockers.

No, Mr. Speaker, what I want to talk about is the GENE TAYLOR I know holding forth on the back rail of this House. We are sure going to miss him. His was an unfailing ability to cut through all of the noise and window dressing back here and represent the folks back home.

We are, by the very name of this body, the House of Representatives. I don't think anyone has ever taken the pulse better. GENE TAYLOR doesn't have constituents, he has folks. If you wanted to know how this bill or that amendment or whatever resolution affected the folks back home in regard to their daily lives or pocketbooks you had only to check with GENE.

Well now, I say check with GENE but in doing that you also got some sage advice from folks like Leggs Luna, the often quoted Republican Chairman from Gainesville; Buff Lamb, the no nonsense sheriff from Christian County; or Maude Freeland, the now deceased columnist of the Taney County Gazette.

"What does the administration think about this, GENE?" "Well, Pat, I don't rightly know but this sure doesn't make sense to Leggs Luna!"

"Is this bill over budget, GENE?" "Well, they say its close but I tell you one thing, Maude Freeland would sure have trouble seeing the sense in handing out money this way."

You know, I feel as if I know these folks, even good old Barney Mathis, of dubious fame and notoriety, plus most of everyone else in GENE's district and the reason why is what GENE told me fit like a glove with what my people tell me in Dodge City, Abilene, Elkhart, or Goodland. If it made sense to GENE, I could pretty well bet it made sense back home. If it didn't, chances are about six snakes would come out of that legislative box to bite you down the road.

I mean, after a couple of years on the backrail with our colleague, I thought of Maude Freeland as a good friend. She was, by the way, a very intelligent, well read, writer for the Gazette. When GENE told me she was in the hospital and not doing well, I went back to the office and called her. It took me the better part of 15 minutes to explain who I was, why I was calling and to assure her I wasn't some Federal bill collector.

Mr. Speaker, those of us from Kansas just have a natural historical inclination to view those "Show Me State" neighbors of ours, with a cautious eye. But, I can say without reservation GENE TAYLOR has done about the best job of representing his people in the U.S. Congress and citizens throughout rural and small town America of anyone I know.

GENE, for me, in the memory of my predecessor Keith Sebelius, for all of our good people in Kansas, many

thanks good friend and the best of everything to you.

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Mr. COLEMAN of Missouri. Mr. Speaker, I yield to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Speaker, I thank the gentleman from Missouri [Mr. COLEMAN] for yielding, and I want to commend him for taking this special order.

My colleagues know that when we come to this body that we are immediately impressed with the kind of folks that we meet and so forth, but the one thing we gravitate toward is an individual we believe in and we feel that we have known all of our lives. And that is GENE TAYLOR because anybody that comes from Sarcoxie, MO, can certainly identify with somebody from Picacho, NM, because: Who cares?

Well, we do, and we want to know somebody that is down to Earth, is willing to give of themselves, but has that sense of humor and that feeling that, "Listen, I am in the greatest body of the world, the Congress of the United States, but I'm the same person that I was in Sarcoxie, MO, or Picacho, NM."

And fun? We can have fun in this place. We can enjoy it. We have to laugh at ourselves. One does not have to take these things so seriously, because it is serious, and what we do here is extremely serious. But how about an individual that can say, "Look, no matter whether hell freezes over tomorrow or the Sun doesn't come up in the East and set in the West, you can enjoy a good story together," because what is it that we take away from here? The associations that we have with the people that we know here, and they are great folks in this body, each and every one of them.

But one of the most outstanding individuals has been GENE TAYLOR because, if someone wants to get leveled off after they have been up in the high or down at an extreme low, here is a fellow that can pull them up and tell them a good story, have a good laugh with and identify with one another thereby knowing that the world is OK, that the Sun will come up in the right place and set in the right place, and hell will not freeze over, it will melt, and everything is going to go on, and that is the kind of person we want to know because they have kept their perspective and they have made their contributions to good government, because that is what all of us are here for, to make a contribution.

One hears all of the vilification of people in Congress that they are taking and doing this and doing this, that and the other, but they are also giving, and one of the greatest givers I have ever known has been GENE

TAYLOR because he has given something to each and every one of us.

And what is it we take out of this life? This is not a eulogy because GENE TAYLOR has had the wisdom to decide when he wanted to leave here and spend a little time in his life with those grandkids, with that beautiful wife, running a few cows down there in Missouri, and my colleagues know that there are not too many things better than that, except maybe running sheep in New Mexico.

So what is it that my colleagues take away from here? The associations that we have had. And what is it, my colleagues, we take when we leave this life? The associations we have had with different people, good, bad or indifferent. There are great moments, and GENE has certainly contributed to a lot for each and every one of us.

We are going to miss him sorely, and we also know that he is going to be around here somewhere, and we take great gratification knowing that he is going to be enjoying doing what he wanted to do by not answering those confounded bells that somebody else has rigged up to ring at the wrong time. He is going to be out there doing what he wants to do for himself and family.

God bless you, go in peace, but come back and visit us. We never want to forget you, and we never will.

Mr. COLEMAN of Missouri. Mr. Speaker, before I recognize my colleagues from Missouri, let me tell the Members here that we have 8 minutes left, and I know that other special orders are waiting in the wings.

Mr. Speaker, I yield to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Speaker, I appreciate the gentleman from Missouri [Mr. COLEMAN] yielding to me, and I will be brief. I will put into the RECORD ultimately an appropriate tribute to GENE, but I wanted to say here this evening that I am going to be brief because frankly I do not like this occasion. I do not like the thought of saying goodbye to GENE TAYLOR here in the House of Representatives.

Mr. Speaker, it is not goodbye, but it is not going to be the same place anymore without GENE here. Truly it will not be.

GENE, we are going to miss you.

GENE knows, I am sure, in the depths of his heart how I feel about him and what a dear and wonderful friend and great mentor that he has been to me. Everything that has been said about him here this evening I and many others could say in spades, but I want him to know as he leaves here that he leaves with our love, and our thoughts and our affection, and we want him, and Dorothy, and Linda, and Larry and the grandkids to have a wonderful time down there on Table-rock Lake, and I am going to come down there and do a little bass fishing

with him, one of my favorite pastimes, and we will talk about things back here.

But I want him to know how much I am going to miss those daily consultations as we hang back by the rail there and discuss the state of the House and the world events, and I am going to miss his daily touch around here. He is a person who epitomizes to me really the best of commonsense values for which I think our State is famous. He is the epitome of that, and he has brought a great deal to this House and to the country in his service here and in a lot of other positions throughout his life.

GENE TAYLOR is going to be missed, but he certainly goes with our affections and our best wishes, and I want only the best things for him in the years that lie ahead for what he has been to us.

Mr. COLEMAN of Missouri. Mr. Speaker, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Speaker, I thank my friend for yielding, and I appreciate the fact that he yielded to me as the gentleman from California because I am proud to represent California, but I am equally as proud to be a native of the Show Me State.

Now I have never run sheep or cows, and I am not from that part of the country. I am from what GENE TAYLOR often refers to as the silk stocking part of Kansas City, which is where I originally grew up, but I can say that GENE has been a great friend and is an individual who provided me with a great deal of inspiration. He was an inspiration because, as I know a number of our colleagues have said, of his common sense.

There are a number of stories which I cannot recount here. I will never forget one of my favorite ones centered around a debate dealing with outdoor facilities for our California farm workers. I am not going to repeat that one for our colleagues, but I will say that some of the greatest common sense came from this guy when he said to me that before he came to the Congress he was asked by a fellow in his district to ask himself three questions every time he was posed with the prospect of forming another government bureaucracy or spending program here.

The first question was: Do we really need it?

The second question was: Can we really afford it?

And, if the answer is "yes" to both of those questions, then ask yourself: How in the world have we gotten along for such a long period of time without it?

Mr. Speaker, since GENE said that to me I have asked myself those questions every time I cast a vote, and maybe that is the reason that I have

consistently voted against all these marvelous appropriation bills that we have passed out in the past few weeks.

But I will miss GENE TAYLOR's smiling face and his encouragement, and I am convinced that the people of Sarcocoxie, MO, are in fact more intelligent than people in Washington, DC.

Good luck to you, GENE.

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Mr. PASHAYAN. Mr. Speaker, I thank the gentleman for yielding to me.

I want to say a few words about my very good friend and mentor, this son of Sarcocoxie. I do now know exactly how we met the first time, but I know that is one of the best things that happened to this young guy from California who never held an office before.

GENE, I want to thank you for all you have taught me over the years, because I have listened to your jokes and I have also listened to your good common sense and advice. This man is loaded with common sense.

I guess I have enjoyed most of all, GENE, the dinners we have had together. I guess you know me as somebody who can put away quite a bit at the dinner table, GENE, and I want to thank you very much for giving me some good keen competition. I will not tell my colleagues who won that competition, but I have to thank GENE for that. You have always got to look over your shoulder at the dinner table.

Dorothy is a delight. She will be happy to have her man home, and thanks to Dorothy, GENE will be sitting in a brandnew pink chair in his newly decorated home. I thought our colleagues ought to know that.

One note of seriousness here. GENE TAYLOR was one of the hardest working men I know. He did a lot more than just put Sarcocoxie on the map. When he was talking about leaving this place, I would say, "GENE, stick around. We have got to have you here. We need you. We want you. We don't want you to leave."

Then he told me that he had a telephone in his house and he would sit there and answer phone calls from his constituents.

I said, "GENE, why don't you get rid of the telephone? Give yourself a Sunday off. Ease up a little bit. Maybe you will be encouraged to stay some more terms."

He would not do it that way. He would either go all out for his constituents, or he then made the decision to retire, and that is the kind of man he is. It is either 100 percent or he is going to go into retirement.

GENE, we wish you the best of luck, you, the man of two homes, one in the mountains and one at the lake.

GENE, my last word to you is, the rains will keep coming.

Mr. COLEMAN of Missouri. I see that our time is just about to expire. I notice that the gentleman from Nebraska seeks recognition, and I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding to me and I thank him for taking out this special order. This Nebraskan wants to join in this tribute to GENE TAYLOR.

He is a man of uncommon common sense, which has frequently been mentioned. The humor, the storytelling capacity is incredible. Daily he has been going about his representational duties representing very, very ably, the people of his district in Missouri. That is one thing that we ought not to forget and we will not forget. He has been representing them and serving them in the public interest. He is a man who has unfailing good humor to help all of us in our duties.

I thank the gentleman and I wish the gentleman from Missouri every success in his retirement and good fishing and best wishes to his wife as well.

Mr. LOTT. Mr. Speaker, I commend the gentleman from Missouri [Mr. COLEMAN] on taking this special order to pay tribute to our colleague, GENE TAYLOR, who is retiring from the House at the end of this Congress.

Mr. Speaker, GENE TAYLOR and I were both elected to the House in 1972, and so we developed a friendship from our earliest days here as fellow freshmen. In addition, I have had the pleasure during our 16 years here in the House of serving with GENE on not one, but two committees, Post Office and Rules. And so we were able to not only build on that early friendship, but to develop a close professional, working relationship as well.

Even though I had to drop all my other committee assignments to stay on the almost exclusive Rules Committee, GENE was so well thought of by our leadership that he was not only permitted to retain his Post Office Committee assignment in 1981, but to become its ranking Republican member in 1983. And believe me, GENE he has been a real credit to our party and staunch right arm to our leadership in both positions ever since.

Mr. Speaker, one of the greatest joys and learning experiences of serving with GENE on these committees and in the House has been to observe first hand his ability to cut through the legislative fogs which so often enshroud us and focus the clear light of common sense on the nub of the matter. And instead of doing so in a manner that might give offense, GENE has an uncanny knack for doing all this with a humorous remark or story that brings a smile or laugh to everyone involved, even those on the other side of the issue.

Mr. Speaker, it is often said that there are two kinds of politicians up here—the show horses and the work horses. GENE TAYLOR best epitomizes the solid, Missouri plow horse—a reliable work horse who gets things done for his party, his committees, and his constituents. GENE does his best work out of the limelight, quite often at the back rail of this Chamber, in his ongoing discussions with Members of both parties over matters legislative and otherwise.

While "backbenchers" connotes the junior, relatively powerless Members in the British House of Commons, the back-of-the-benchers here tend to be the in-the-know, movers, and shakers when it comes to getting things done. And GENE fits very comfortably into that group of Members.

Mr. Speaker, hopefully I will be moving on to the other body, so I will miss the House a great deal. But even when I return to visit my colleagues in this Chamber, I will be especially saddened not to see GENE TAYLOR at the back rail, puffing on his pipe and dispensing his down home wit and wisdom.

I want to thank GENE for the friend he has been to me over the years and the many contributions he has made here in the Congress. I wish him many years of joy and happiness in his retirement and hope he will stay in touch with us so that we can continue to benefit from his sage advice and humorous perspective.

Mr. VOLKMER. Mr. Speaker, I'm honored to join with my colleagues today to pay homage to my fellow Missourian, GENE TAYLOR.

Congressman TAYLOR and I are from opposite corners of Missouri. An on many political issues we are on opposite sides. But we have one thing in common. We agree on our pride in Missouri.

In GENE TAYLOR's heart Missouri is No. 1. And his beloved Ozarks will never have a prouder champion here in Congress. GENE is renowned both here in Washington and in southwest Missouri for his tradition of spending each and every weekend in his district. And he is not just there to visit, he works. The people of Freistatt, and Lockwood, and Stella, and Elsey and Rocky Comfort know their Congressman. And it doesn't have to be an election year for GENE TAYLOR to come and visit. He is there taking care of his constituents, taking care of his Ozarks.

I have no doubt that GENE TAYLOR could be a Member of this body for as long as he cared to serve. He says its time to go home to Sarcoxie in his beloved Ozarks. Our loss will be his neighbors' and friends' gain.

It's been my honor to serve with you, GENE. Best wishes.

Mr. FISH. Mr. Speaker, I rise this evening to pay tribute to a friend and colleague, GENE TAYLOR. It has been

my privilege to have known GENE TAYLOR since he became a Congressman in 1972.

GENE came to Congress with the solid background that has made him an excellent legislator. A businessman, he knows the importance of a sound economy. A former member of the board of education in his hometown of Sarcoxie, MO., he knows the importance of education to America. A former mayor of his hometown as well, he knows the importance of our domestic needs and community concerns and he knows the importance of American values.

GENE has served on the Committees on Post Office and Civil Service, Public Works and Transportation, and Rules. He has served as an effective and fair-minded legislator.

And he has served with an irrepressible sense of humor. I recall his good-natured and roaringly funny imitation of the distinguished chairman of the Rules Committee, CLAUDE PEPPER.

GENE has been a dedicated public servant, and we wish him well.

Mr. DICKINSON. Mr. Speaker, today, I join many of my colleagues in saluting my good friend, GENE TAYLOR, for his 14 years of service in Congress.

GENE has served the interests of the House Republicans well in his leadership role as the ranking minority member of the Post Office and Civil Service Committee, as well as being a member of the Rules Committee.

As a staunch conservative, GENE has supported many important defense and foreign policy issues over the years; including the MX missile program and the United States backing of the Nicaraguan freedom fighters.

As a former member of the Public Works Committee, GENE has also been a stalwart against wasteful Federal spending for unnecessary public works projects.

GENE has served the Seventh District of Missouri in a commendable fashion and will be a tough act to follow. I will miss GENE "holding court" in the Chamber, his good humor and his friendship; and wish him well and success in his future endeavors.

Mr. GOODLING. I rise today to say goodbye to a unique man. GENE TAYLOR has been a dedicated Member of this House, a good friend of mine as well as that of my father, George Goodling. Once again I see my father's sound judgment and wisdom by the company he chose.

GENE TAYLOR's 16 years here have made him an off the record legend. GENE, though he'll insist CLAUDE PEPPER is more adept than he, is one of the best storytellers on the Hill. His manner of setting one at ease, while he spins a yarn, is a pleasure to sit back and enjoy. When he tells a tale, it's almost as if you've sat down near a

fire with a good book, ready to relax and let the words soothe your mind. It's this good nature and relaxed manner that has made him such a dear colleague, both on the Democrat as well as the Republican side of the aisle.

It may be his consistency, yet fair-minded actions that have kept him here as long as this. Many of his friends believe as I do that he's far too young to leave us. Even though I know it's been said before, I hope that in the future he will not be a stranger to these Halls.

GENE TAYLOR began his career in the House in 1972. During his stay he's been successful as a low key, affable Member of this body. It's for those reasons that he owes his success here, both on Public Works and later on Rules Committee—not to mention Post Office and Civil Service. His ability to cajole a person into a smirk or grin has served him well.

He's been a popular candidate in the Seventh Congressional District of Missouri, and his record shows he's tried to do the best for them. Yet, more than that, he has also tried to reach that precious balance of serving both his constituency and his country. I believe that he's done admirably well.

While we walk these Halls in the future, and from behind hear what sounds like a good-natured southern drawl, I hope when we turn we'll find the welcome sight of Mr. TAYLOR, and not his memory echoing away.

So, from your colleagues and all those around you who've known you, voted for you, or worked with you, we wholeheartedly say, good luck, and sadly say goodbye.

Mr. WHEAT. Mr. Speaker, since my first weeks in Congress it has been an honor to work with our friend and colleague, GENE TAYLOR.

As ranking minority member of the Committee on Post Office and Civil Service, GENE has proven himself to be a valuable ally to hard-working Federal employees, and I know that thousands of civil servants that live and work in my district appreciate his efforts in this regard.

My best memories of serving with GENE are from our many long hours together on the Rules Committee. GENE's unfailing good humor has been an inspiration to all of us on more than one occasion.

Throughout GENE's career in public service he has earned the respect and admiration of thousands of citizens whose lives he has touched over the years.

GENE will surely be missed by all who had the privilege of working with him, and his service will be remembered fondly for many years to come. It is truly my honor to commend GENE on the occasion of his retirement and to extend my very best to him and his wife Dorothy in the years ahead.

Mr. YATES. Mr. Speaker, GENE TAYLOR has a host of friends and admirers in the House and I am proud to say that I am one of them. I am also very pleased to have this opportunity to thank him for his friendship and to wish him every happiness and much success in his retirement. GENE has made many valuable contributions to our work during his service here, and I admire him greatly for his skill and wonderful wit. I am going to miss GENE and I hope he will come by and visit with us often.

Mr. BENNETT. Mr. Speaker, I thank my colleague, TOM COLEMAN, for arranging this special order for our esteemed colleague, GENE TAYLOR.

All of us are going to miss GENE when he retires from Congress at the end of this session. He has done a great job for his community, State, and Nation, and we are all going to find it hard to have his place filled in any way. Each of us has found a pleasure in his friendship, his warm and delightful personality, his great stories of Missouri and of mankind, his sense of humor and his overall solid American, progressive outlook on life. I wish him well on his retirement, which is a great loss to the House, in particular, and the Congress as a whole.

Mr. FROST. Mr. Speaker, it is with real sadness that I rise today to take part in the special order honoring my good friend GENE TAYLOR. I regret having to participate in this special order because this time has been reserved to honor a man who is leaving Congress. I will be sorry to see him go and I will miss him.

But, I will always remember GENE TAYLOR as a man of honor, decency, and as one of the funniest human beings I have ever known. Since he joined the select group who meet from time to time in a very small room on the third floor of this building, GENE has, along with my friend JOE MOAKLEY, lent an air of levity to proceedings that can sometimes be acrimonious. His good humor has more than once brought laughter to the Committee on Rules when partisan wrangling has brought ill will and bad humor. That special gift will be missed.

But, Mr. Speaker, in addition to his humor, we will miss his good sense and dedication to the House of Representatives and the work we do here. All the while he has served on the Rules Committee, he has continued to serve as the ranking Republican member of the Committee on Post Office and Civil Service and has been a strong supporter on the Rules Committee of his former colleagues on the Committee on Public Works. He knows the issues and he knows how to work effectively with Members on both sides of the aisle. GENE comes from Missouri, the Show-Me State, and he has shown all of us that it is possible, in oftentimes very difficult circum-

stances, to reach compromise and even consensus. That is a rare characteristic in an institution that is becoming more and more partisan, and I will personally miss his counsel and guidance.

GENE, I wish you all the best when you leave the House. I know you will find much to keep you busy, but I hope you will find time to keep in touch with us.

Mr. HALL of Ohio. Mr. Speaker, I am pleased to join in this tribute to our retiring colleague, the gentleman from Missouri, GENE TAYLOR.

I have enjoyed having the opportunity to serve with GENE on the House Rules Committee. He has been a genuinely warm and friendly presence on our committee, and we will miss him.

Although GENE is a member of the loyal opposition, he never has allowed partisan differences to become an obstacle to good relations with all of his colleagues on our committee. Indeed, his cheerful manner has helped to take the edge off the disputes that sometimes arise.

GENE has been truly representative of his constituency. He has brought the common sense and practicality of the Ozarks to his work in Congress and on the Rules Committee.

We, his colleagues, salute him for the many contributions he has made throughout his career to the activities of the House of Representatives. We're sorry to see you go, GENE, but we wish you health and happiness in retirement.

Mr. RINALDO. Mr. Speaker, the end of the 100th Congress also marks the conclusion of the House career of our good friend and colleague, GENE TAYLOR.

GENE and I began our services together in January 1973. During the past 16 years I have enjoyed his company on and off the floor. He is a dedicated public servant who speaks the language of the people and is a delight to be around.

I know the people of Missouri's Seventh Congressional District will miss the representation of this conscientious individual who has made such a valuable contribution to the work of the House, and I know I will miss his presence here.

I congratulate GENE on an outstanding record of service and extend my best wishes for every future happiness and success.

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to my esteemed colleague and good friend, GENE TAYLOR. As you know, GENE will be retiring from the House of Representatives at the end of the 100th Congress.

As members together on the Post Office and Civil Service Committee, I have come to know GENE as a most competent, respected, and effective Member of Congress. Certainly the

citizens of the Seventh District of Missouri have benefited by GENE's representation, his level of dedication and commitment clearly evident in all his work. He has served with distinction for over a decade and has had many achievements in that time.

Among those accomplishments, GENE has helped greatly our infrastructure system through his past service on the Public Works Committee. He has also provided outstanding leadership during his tenure on the Rules Committee. A strong supporter and advocate for Federal retirees, GENE has achieved important victories for them as well. In all these endeavors, GENE has always been a statesman, yet a man of good humor who enjoys a well-told story and a hearty laugh.

For my own part, I am honored to have been able to serve in this body with GENE TAYLOR. While GENE will be greatly missed by all of us, I know that his work in the House will long be remembered—by Members and constituents alike. It is an honor to salute the 14 years of public service of my good friend and I wish him and his family the very best in their future activities.

Mr. HORTON. Mr. SPEAKER, I am very proud to rise and pay tribute to a very close friend and an outstanding legislator, GENE TAYLOR. His decision not to seek reelection this November means that the great storyteller from Missouri will not be with us when we convene next January.

We will all miss GENE TAYLOR and for a number of reasons. He is a man of style and character. His sense of humor and storytelling abilities are his trademarks, and I would be the first in line for tickets if he ever started a nightclub act.

But having served with GENE throughout his entire 16 years in the Congress, I know as well as anyone that the stories and humor are but a small part of the total picture. GENE TAYLOR is an effective legislator. He represents well the citizens of Missouri's Seventh Congressional District, and he represents well the interests of the citizens of this Nation. He does this principally from his work on the Rules Committee, where he is a Senior Republican, and he does it from his position as ranking minority member of the Post Office and Civil Service Committee, on which I serve.

GENE TAYLOR's simple style and commonsense approach to problems mask a complex mind that knows how to get a job done. A master of negotiation, he has many times brought together parties with different views and forged compromise. He did so this year with H.R. 3400, Hatch Act reform. The fact that this legislation won such broad, bipartisan support in the House is due, in large measure, to his efforts.

GENE TAYLOR is a man of honesty and integrity, a man who loves his

country and who has proudly and capably served it in this House. And he is a man of family. He and his lovely wife Dorothy are the proud parents and grandparents of two children and five grandchildren.

GENE, you have been and will always be to me a good and trusted friend. You are an outstanding American. As you leave this House, Nancy and I send with you and Dorothy our very best wishes for many, many years of happiness and good health. It has been a genuine pleasure to have served with you. God bless you.

Mr. ANNUNZIO. Mr. Speaker, I rise to join with my colleagues in the House of Representatives in paying tribute to the Honorable GENE TAYLOR, who is leaving the House after 16 years of dedicated service. His efforts on behalf of his constituents of the Seventh Congressional District of Missouri, which he ably represented, and on behalf of the citizens of the United States, are most worthy of recognition.

Elected to the 93d Congress in 1972, GENE TAYLOR has served in the House of Representatives with diligence and has distinguished himself as the ranking minority member of the House Post Office and Civil Service Committee and as a member of the Subcommittee on Investigations. He also has gained the admiration and respect of his colleagues for his service as a member of the House Rules Committee and the Subcommittee on the Legislative Process and the Subcommittee on Rules.

GENE TAYLOR is a fine legislator, a dedicated and devoted American, and a Congressman of great ability and skill. He will be missed by all of us in the House of Representatives who have had the opportunity to know him and to work with him.

Mr. Speaker, I extend to GENE TAYLOR my best wishes for success in all of his future endeavors.

Mr. MINETA. Mr. Speaker, I am delighted to join with my colleagues in saluting the distinguished gentleman from Missouri, GENE TAYLOR, upon his retirement after a proud career in the House of Representatives.

I am glad to have had the pleasure of serving on both the Post Office and Civil Service, and the Public Works and Transportation Committees with GENE. I have enjoyed his wit, his good humor, and his commitment to public service.

But GENE's achievements and service are not limited to his accomplishments in the House of Representatives. He served the people of Sarcoxie both as their mayor and as a member of the board of education. As one who has served as the mayor of San Jose, CA, I can appreciate GENE's background and concern for local government.

He works hard to keep in touch with the folks back home, in the Seventh Congressional District of Missouri, and he can be proud of his record of service.

I salute my friend and colleague GENE TAYLOR as he prepares to retire from a lengthy, productive career in public service. I have enjoyed serving in this distinguished body with him, and we will miss him a great deal.

I join my colleagues in sending my congratulations and best wishes for a happy, healthy, and prosperous future to you and your family, GENE.

Mr. FORD of Michigan. Mr. Speaker, it is with great pleasure that I rise to join my colleagues in this tribute to my friend and close associate, GENE TAYLOR.

Party lines notwithstanding, GENE is one of the most dedicated colleagues with whom I have worked in my 12 terms in Congress—and one of the most fair-minded.

He has, as most of us have come to admire, that disarming country-boy aura that disguises a first-class mind. We have all witnessed him using this charming ploy to dispatch his opponents.

I dare say that many of us have been among the dispatched. Sometimes we weren't even aware of it.

Since 1983, GENE has been the ranking minority member of my Post Office and Civil Service Committee. And I think it is worth noting that those 5 years have been among the most active and productive periods of the committee. And when I needed GENE on important business he was always there. He has not always agreed with me, but he has been willing to listen and to help fashion important compromises.

Since then the committee has handled some critical pieces of legislation. We created, for example, a completely new Federal retirement system for employees hired after 1983. For some this would have created an ideal place for bashing Federal employees and demagoguery. Not GENE. He rolled up his sleeves and in time we were able to reach a compromise, creating an excellent retirement system for these new employees without doing damage to the already existing civil service retirement system.

GENE brought the same enthusiasm and devotion to our efforts to modify the 50-year-old Hatch Act. He was with me when we began that endeavor and again when we won overwhelming floor support for its passage. This was not a comfortable place for GENE to be. He had to go against the President of his own party. But for GENE it was a matter of principle. He felt it right to try to correct an inequity and allow Federal and Postal employees the same political rights enjoyed by other

Americans. The question of right and wrong transcended party affiliation.

Indeed GENE's sense of fairness and equality have been his trademark in Congress.

Within these boundaries the people of GENE's district have always come first. He has been foursquare for the people of southwest Missouri.

We will all miss GENE TAYLOR—for his friendship, his dedication, his skill, his boundless integrity and his droll wit that added just the right touch of levity to countless situations. GENE told us when we were taking ourselves too seriously. We would all do well to try to emulate his light touch.

Mr. ROE. Mr. Speaker, today I rise in honor of a special man, a good friend, and tireless public servant from the great State of Missouri, the Honorable GENE TAYLOR. I am most pleased to join in this well-deserved salute today to one of Missouri's favorite sons, who is leaving the House of Representatives after 16 years of outstanding service to the people of Missouri and the Nation.

GENE TAYLOR is widely recognized by his colleagues as one of the most effective Members of this august body. During the years we served together on the Public Works Committee, GENE demonstrated a unique devotion to his work that won him the admiration of all those who worked with him.

He has been one of this body's most effective Members, a powerful voice for fiscal conservatism when it was less popular than it is today. He has always possessed special insight into the real needs of the Nation and, equally important, a grasp of how best to meet those needs in a sensible and cost-effective manner.

Mr. Speaker, the people of the Seventh District of Missouri have a forceful voice for their interests in GENE TAYLOR. It is a voice that will be sorely missed.

Mr. CLAY. Mr. Speaker, it is my privilege to join in this tribute to our dear friend and colleague, the Honorable GENE TAYLOR on the occasion of his retirement from the House of Representatives.

I have had the pleasure of serving with Representative TAYLOR on the Post Office and Civil Service Committee and as a fellow member of the Missouri delegation. He is a highly talented and insightful leader whose sound, practical judgment, tenacity and spirit have earned him the highest respect of his colleagues.

Congressman GENE TAYLOR has demonstrated the deepest devotion to the human cause. He has been an indefatigable spokesman for his constituents and a dutiful Representative of his district, State, and Nation. The people of Missouri's Seventh District have been well served by Congressman GENE TAYLOR. His contributions to our

Nation will benefit generations to come.

GENE TAYLOR is a fine friend and a distinguished leader. We will miss him in the next Congress. Best wishes for health and happiness in the future.

Mr. CONTE. Mr. Speaker, the end of a Congress brings many feelings to a head—thoughts of the campaign trail, spending time with the family, getting out of Washington. But in the never-ending rush toward adjournment, sometimes we forget that we are losing some of our fellow Members. And one that I know we will all miss a great deal is GENE TAYLOR of Missouri.

I've seen them come and I've seen them go over the past 30 years. But I can't think of a more down-to-earth, Southern gentleman than GENE TAYLOR.

GENE came to the House in 1972, Mr. Speaker, but it really seems as though he's been with us forever. His friendly demeanor and his unbeatable style of storytelling make him a winner in the eyes of all who know him.

I think all of us here today could retell some yarns that GENE has told us over the years. God knows if we can't, GENE would be more than happy to refresh our memories. He has an almost uncanny ability to light up a room with a tall tale from the "Show-Me State."

But a wise man would be careful not to underestimate this gentleman. GENE sometimes likes to act like he's just a good ol' boy from the South, but any of us who have ever been on the other side of a debate know that he's not a man to be taken lightly.

His tenure as the senior Republican on the Committee on Post Office and Civil Service has been an especially productive one, as he constantly strived to strike a practical balance between the interests of the Federal workers and the Nation as a whole. Democrat or Republican, members of that committee are unanimous in their respect for GENE TAYLOR.

During his time on the Rules Committee, GENE has been a valuable asset to the rulemaking process. His commonsense approach to House procedures was invaluable.

GENE TAYLOR is a good, decent man I'm very proud to call my friend. Our former colleague Gene Snyder hosted a farewell reception for him earlier this week, and the size of the crowd was proof enough that his presence will be sorely missed in the 101st Congress.

Mr. Speaker, GENE and his lovely wife Dorothy will be heading back to the Ozarks when Congress adjourns next month. It's a well-deserved rest for two beautiful people.

Mr. CRANE. Mr. Speaker, it certainly won't be the same in this Chamber after our friend and colleague from Missouri retires next January. For almost 16 years, GENE TAYLOR has

graced the U.S. House of Representatives with humor, a smile, warmth, and pleasantness—ingredients that he combined with his ability to solve problems, to find answers to congressional questions.

As a member of the House Rules Committee, he is well acquainted with all of the legislative matters which go before this House. As ranking Republican on the House Post Office and Civil Service Committee, he has faced more than his share of legislative crises, and he has helped mold solutions to end those dramatic situations.

GENE TAYLOR's popularity, of course, is not confined to the membership of this Chamber. He is held in high regard, and with great affection, by his constituents. And that affection works both ways. There have been few weekends in the eight terms GENE TAYLOR has served in Congress that he has not gone back to Missouri to be with his constituents in the Ozarks.

Several years ago, I was honored by being afforded the opportunity to speak in behalf of GENE in Springfield, MO. There, I personally witnessed the admiration with which the people of this special Ozark mountain district hold for their Congressman.

It is difficult to find anyone in Missouri's Seventh Congressional District who doesn't believe he or she knows GENE personally and feels he can call upon him anytime—day or night—at home or in Washington.

Perhaps the best illustration of that is a story GENE TAYLOR likes to tell himself. A constituent called him early one morning to complain about the collection of her trash. After listening a few minutes, GENE advised her that he was her Federal representative in Washington, and since the problem was a local one, she should contact someone at the local government level. The lady replied that this was probably true, but that this was her first call and she didn't want to bother anyone that high with it.

Hopefully, GENE will visit with us in Washington after he retires.

He has served his constituents exceptionally well in the U.S. Congress, and now he and his lovely wife, Dorothy, deserve some time to themselves—time to rest and enjoy their grandchildren.

Mr. SCHULZE. Mr. Speaker, I rise to offer tribute to my colleague, GENE TAYLOR of Missouri, who will be retiring from the House of Representatives at the close of this 100th Congress. Always conscientious and colorful, those of us who have had the opportunity to serve with GENE know that he will be sorely missed in this body.

Throughout his life, GENE has displayed the ability to achieve excellence. He has given himself generously in both public and private endeavors. He served three distinguished terms as

mayor of Sarcoxie, MO, and served his party well as a Republican committeeman. GENE is a former treasurer of the board of regents and former member of the board of trustees for Missouri Southern College, a past president of the Lions Club and the Sarcoxie Chamber of Commerce, and a former director of the Missouri Automobile Dealers Association. In 1970, GENE received the Time magazine "Quality Award Dealer for Missouri," not only for successful and ethical business practices, but for GENE's extraordinary civic and community contributions as well.

GENE was first elected to the U.S. Congress in 1972, where he was quickly recognized by the National Associated Business Men and the National Federation of Independent Businessmen as a dependable friend and defender of the small businessmen. The awards bestowed upon him, numerous times, the "Watchdog of the Treasury" and "Guardian of Small Business," adequately reflect GENE's efforts as a Member of Congress to ensure that public money is spent with care and small business be spared suffocating Government regulations.

Through his diligence and leadership, GENE became the ranking minority member of the House Committee on Post Office and Civil Service and the vice-chairman of the Subcommittee on Rules of the House for the Committee on Rules. In these distinguished and important roles, GENE gave America leadership and straight talk mixed with common sense and good humor.

Understandably, all of Congress will miss the guidance, expertise and contributions GENE TAYLOR has to offer. I join my colleagues in bidding GENE TAYLOR a heartfelt farewell, and wish him all the future successes he deserves.

Mr. UDALL. Mr. Speaker, my friend GENE TAYLOR is leaving this House to retire to the Ozarks of southwestern Missouri, and I'm going to miss him.

GENE has devoted 14 years to serving the people of his district, his State and the Nation. He is an American original, conscientious, fiercely dedicated.

As GENE retires, I join with all our colleagues in wishing him and his family the very best. We hope he might stop by and visit now and then, and share some of that Taylor humor which we all have enjoyed over the years.

Mr. SPENCE. Mr. Speaker, when Congress adjourns sine die we will be saying goodbye to one of the most popular Members to ever serve in this body, our dear friend, GENE TAYLOR.

Just this week a very large and enthusiastic crowd gathered in the Rayburn Building Courtyard to honor GENE with a farewell party. As our colleagues from both sides of the aisle took to the microphone to praise

GENE, it was obvious, to even the most casual observer, that he is universally loved and admired. A good example was the case of one of our most respected colleagues, CLAUDE PEPPER. I have heard CLAUDE make some eloquent speeches, but his tribute to GENE TAYLOR was an absolute masterpiece. While these two gentlemen don't often agree politically, there is no question that the affection that our colleagues hold for GENE TAYLOR transcends political differences, and the gentleman from Florida made this known to all in attendance.

I am going to miss GENE TAYLOR. We are all going to miss him. He is a gentleman of the first order, and the citizens of the seventh district of Missouri are to be commended for sending him to the House for eight terms.

As most of us know, GENE is from the great town of Sarcoxie, MO. In fact, he was the mayor of Sarcoxie for about 6 years. This part of Missouri is truly America at its best. The people are honest, hardworking, and, to their everlasting credit, maintain a wonderful sense of humor. For those of us who have been privileged to hear GENE's stories about Sarcoxie, and indeed all of southwest Missouri, there can be little doubt that he is one of the greatest exponents of this unique brand of Missouri humor. No matter how bad your day is going, a story by GENE TAYLOR can brighten things up. He is the Will Rogers of Congress, and I just hope that he will now find time to write a book. It would be a best seller.

GENE TAYLOR believes in the America dream. As a successful businessman and community leader his life has been devoted to helping people and standing up for America. He has been a friend of the taxpayer, and as an effective member of the House Rules Committee GENE has fought long and hard to send legislation to the floor that reflects this philosophy.

Mr. Speaker, I feel certain that the future will continue to find GENE TAYLOR involved in matters affecting the welfare of his State and Nation. While we shall miss him as a Member of this body, we can take solace in the fact that he will still visit and give us the benefit of his wisdom and counsel. GENE, thank you for your friendship and for a job well done.

Mr. SHUSTER. Mr. Speaker, GENE TAYLOR and I came to the Congress together as Members of the freshman class of the 93d Congress in 1973, and I rise today to pay special tribute to a friend and colleague who is retiring at the end of the 100th Congress.

GENE TAYLOR was born in Sarcoxie, MO, in 1928 and continues to make his home there today. Educated in public schools, GENE attended Southwest Missouri State University and returned to Sarcoxie to be married to the lovely Dorothy Wooldridge.

After serving his country with honor in the 108th Cavalry, GENE returned again to Sarcoxie where he began his political career by becoming mayor of the town. After serving three terms as mayor, he successfully ran for a position on the Jasper County Republican Committee, where he was later elected to the chairmanship.

By 1966, GENE reached the level of National Republican Committeeman, a post he served in until he was elected to the 93d Congress on November 7, 1972. His commitment to his constituency has assured his reelection in every successive Congress since then.

While serving in the Congress, GENE has been the recipient of numerous awards, among them, the "Watchdog of the Treasury Award" from the National Association of Businessmen, the "Guardian of Small Business Award" from the National Federation of Independent Business, and the NRA's "Defender of Individual Rights Award." This recognition confirms the respect and admiration of his friends and colleagues. As the ranking minority member of the Post Office and Civil Service Committee and the ranking minority member of the Subcommittee on the Rules of the House, House Rules Committee, GENE has helped the party and his constituency by forming the strong coalitions of Members that improve the efficiency of our great body.

GENE has been a friend 16 years and his time in the House has been one of service to the Nation, his district, and his friends and ideals. We shall miss you GENE.

Mr. JONES of Tennessee. Mr. Speaker, I appreciate very much the opportunity to offer remarks on behalf of my good friend and colleague GENE TAYLOR. It has indeed been a pleasure to have served with GENE during his distinguished service as a Member of this body.

Though the two of us represented districts in different States and represent the views of different political parties, I have no doubt that GENE TAYLOR would have been as successful in my district as he was in his own. The reason is simple. He went out of his way to make people feel comfortable in his presence and used his good humor to make them feel at ease.

Never did GENE TAYLOR presume that the office of Representative in this House entitled him to a monopoly on the solutions to the problems our great country confronts. He sought the views of others because he wanted to reach workable solutions to problems. He did so, many times, with humor and an even disposition.

We all are subject to terrific pressures here and sometimes those pressures lead us to take ourselves too seriously. GENE broke that pressure many times and used his great wit to bring

us back to Earth without hurting our feelings.

GENE TAYLOR has served his district, his State, his Nation, and his party well. I will miss his bantering on the floor and in the halls. I wish him well and hope that he will make use of the I-55 bridge from Missouri to Tennessee to drop by for a visit at my farm.

We can at least compare notes about how our pending retirements are going and drown a few worms down at the pond.

Good luck and best wishes for a happy retirement.

Mr. WOLF. Mr. Speaker, I join with my colleagues today to salute the distinguished career of the gentleman from Missouri, GENE TAYLOR, who is retiring at the end of the 100th Congress after serving the Seventh District of Missouri since 1973.

When I came to Congress as a freshman in 1981, I had the pleasure of serving with GENE TAYLOR, on the Post Office and Civil Service Committee. He was always helpful and supportive of the effort to protect the jobs and benefits of Federal employees and retirees. As the ranking Republican on the committee since 1983, GENE TAYLOR, has continued to be a leader on civil service issues and a spokesman for fair and equitable treatment of the Nation's civil servants.

He has also served with distinction on the Rules Committee since 1980 and prior to that assignment was a member of the Public Works and Transportation Committee where he was an advocate for programs to improve the nation's infrastructure.

GENE TAYLOR, has been a conservative voice in Congress and an able spokesman for his Ozark highlands district in southwestern Missouri. Always a statesman, he nevertheless has also always had an appreciation for humor and is always ready to share a good joke.

It has been an honor to have served in Congress with GENE TAYLOR. We will miss this colorful gentleman from Missouri and wish him well as he retires to the Ozarks with his family.

Mr. COLEMAN of Missouri. Mr. Speaker, I thank the gentleman, and I want to thank all my colleagues on both sides of the aisle for staying around tonight. This is a very hectic part of the session. We all have many other things to do. We have a whole bunch of written remembrances of GENE which we are going to place in the RECORD, and they have 5 days to add to those. I want to thank all those who stayed here.

Finally, let me wrap it up by saying that obviously we wish Dorothy and GENE the very best as they go into retirement together, health and happiness.

I want to issue you a challenge, GENE. I want you to start writing down some of the stories that you have

spoken of so many years around here, because I think it would be good for this institution, it would be good for America, and I think it would be something that would always keep us on the right course. If you will do that, I think it will be awfully important.

TRIBUTE TO FORMER CONGRESSMAN MARIO BIAGGI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. RANGEL] is recognized for 60 minutes.

Mr. RANGEL. Mr. Speaker, I have taken out this special order to pay tribute to our dear friend and colleague, Mario Biaggi.

This afternoon the New York congressional delegation had a luncheon where we paid tribute to a man who has brought so much, not only to the Congress, but indeed to the United States. We hear so often of those people who are the sons of immigrants and the progress they have been able to make in this great country, but to see a son of very poor immigrants who came here from Italy and worked hard on the streets of Harlem, the district that I represent, was able not only to serve that district and working in the post office, but eventually went to law school and then ultimately ended up in the U.S. Congress.

I think it is the kind of "can do" that we always talk about when we say that the odds are against us and some people just survive.

At that luncheon we were able to share with each other how Mario Biaggi, who sometimes is referred to as a son of Italy and certainly beloved by Italian Americans, has been able to do that with so many different groups, whether they are black or white, Jew or Gentile. In the Jewish community where he had the courage to stand up and stand for what he thought was right for Israel, our ally in the Middle East, and to hear stories from some of our colleagues as to how he was able to stand up for the rights of the Irish in Northern Ireland before even some of the Irish felt prepared to do it.

As a member of the New York City Police Department for over 23 years, he became the most decorated policeman that we have had in the history of the city of New York, having been wounded 10 times doing that type of service where he put his life on the line for his fellow New Yorkers.

It is amazing to see how even after the difficulties he had faced, how the love and affection of the people in his congressional district have, had and still have for him. It is really a remarkable achievement from the beginning where from 1968 where for 16 years no Democrat has ever won that district that he not only won it and kept it—but how the liberals—the Republicans, the liberals and the con-

servatives, as well as his party, the Democrats, said that it was his district as long as he wanted it and where his votes really bordered at 94, 95, and 96 percent.

This is a time that sometimes when we say so long to a colleague, it sounds more like a eulogy, but I guess what we are saying in this great body that we have, we are able to establish friendships that last longer than those who just leave us. Certainly when we talk about the city of New York and the many illustrious figures who have had the opportunity to serve that New York, that we had our problems. When you think of all the work we have done in our delegation and the pride and egos that we have, if someone was to ask any of us from the city of New York, or indeed the delegation from New York State, just who did the most, who worked the hardest and who was the most effective, whether you talk with former Mayor Beam, or you talk with Mayor Koch, or you talk with former Governor Carey, or whether you talk with anyone in the delegation, it was Mario Biaggi; one, because he was effective, but two, because he had the charm and the ability to talk with Members and to have them listen to him and make his case for all of us.

And so, Mario, I guess what we are saying is that we have had the best of times and sometimes you go through the worst of times; but God is good when he allows you to have one thing which no one can take away from you, and that is the friendship of those people who not only work with you and admire and respect you, but I guess the word that we used at our luncheon, who love you and love to be with you.

So you do not really leave us, nor do we leave you. What it means is that there is a break in the type of responsibilities that you are going to have to achieve, but when you leave the House of Representatives you take a little bit with us and we want you to know that we respect and admire the friendship that you shared with us.

Mr. MANTON. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from New York.

Mr. MANTON. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I wish to honor our beloved former colleague, the Honorable Mario Biaggi, who served with dedication his constituents in the Bronx and in that part of Westchester County that he represented, and yes, even part of Queens that he had represented under past reapportionments, where I now have the honor and pleasure of serving.

He served this Congress for the past 20 years. His has been a long and distinguished career of public service

which few individuals could ever hope to achieve.

I was just a teenager when I first came to know of Mario Biaggi as a tough detective lieutenant in what we call the 114th Precinct in the neighborhood in Queens where I grew up, called Astoria. Mario later came to serve part of that precinct, at least as a Member of this great body, and I now have the pleasure and the honor of serving that community as well.

He served in a number of capacities in the New York City Police Department for some 23 years. I found out later when I myself joined that department the full measure and the importance of Mario's achievements on the New York City Police Department and the numerous awards for distinguished service and valor that he earned during his years on the force.

In fact, Mario Biaggi is the most decorated New York City police officer, in the history of the department, having been awarded 28 heroism commendations. In 1960, Mario's heroic service to his community was recognized once again when he was honored with the department's highest award, the Police Medal of Honor for Valor.

During his long service to the city of New York Mario was wounded 10 times in the line of duty—scars and pains he has had to live with for these many years, but which have not slowed him down as he continued to fight the battles for his constituents as a Member of Congress.

Mr. Speaker, I believe most individuals would have been satisfied with such a distinguished career; but, not Mario Biaggi. When most would have been willing and anxious to retire, he went on to become a lawyer at the age of 49. He still had much to give to his community and the citizens of the Bronx. Like myself, the son of immigrant parents, and a lifelong resident of the city of New York, Mario felt he could better serve the interests of his neighbors as a Member of Congress.

And, for 20 years he has done just that. He has championed many causes on behalf of the average citizen, the city and State of New York, and the country.

Mario has played an instrumental role in child abuse prevention, fighting crime and illegal drug trafficking, promoting education, and protecting our Nation's elderly and handicapped. I must say from the heart, in Mario's work as chairman of the Ad Hoc Committee on Irish Affairs, Ireland being the land of my ancestors, Mario has fought tirelessly and he fought at a time when many of our Irish brethren were not prepared to stand up and take on that fight. He fought to end injustice to an embattled Catholic minority in Northern Ireland. He can hold his head high for his many worthwhile endeavors.

Mr. Speaker, in many ways, my career has paralleled the gentleman from the Bronx; first as a New York City police officer, then as a Member of Congress and, finally, joining Mario as a member of the House Committee on Merchant Marine and Fisheries.

It is as a member of the Merchant Marine Committee that I had the greatest opportunity to know and work with Congressman Biaggi. I learned many invaluable lessons from the gentleman that Speaker WRIGHT once referred to as "possessing the most craftsmanlike abilities in enacting legislation" the Speaker had ever seen in all his years in Congress.

As a member of the Merchant Marine Committee, Mario was often the lead proponent of legislation to protect and enhance our Nation's merchant marine, which is often referred to as this country's "fourth arm of defense."

Like his service as a police officer, Mario's work on behalf of the merchant marine industry and the men and women who serve it have earned him many accolades—including the Award for Outstanding Civilian Leadership by the Navy League of the United States; the Merchant Marine Achievement Award of the Merchant Marine Industries Post of the American Legion; and the Admiral of the Ocean Sea Award, which is the most prestigious maritime award given by the United Seamen's Service.

He was at the forefront of numerous merchant marine legislative initiatives including the 1984 Shipping Act, legislation to increase the requirement for U.S. citizen crewmembers on U.S.-flag vessels, protecting our cargo preference laws, the Port Development Act, defending State maritime schools against budget cuts and recognizing the valiant service of U.S. merchant mariners during World War II.

Mr. Speaker, I am pleased to have had the opportunity to serve with Congressman Mario Biaggi and I wish him and his family well in the years ahead. The Congress and its constituents will miss him, and in the words of the Irish phrasemaker, "I bless the day I met you, and I bless the day we will meet again."

Mr. Speaker, I would also like to thank my colleague, the gentleman from New York [Mr. RANGEL] for taking out this very important special order.

Mr. RANGEL. Mr. Speaker, I yield to my friend, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to join with my colleagues in commemorating the extensive dedicated public career of our colleague, the gentleman from New York, Mr. Biaggi. Permit me to commend my good friend from New York, the distinguished chairman of our Narcotics Committee, Mr. RANGEL,

for taking this time to allow us to share our thoughts on Representative Biaggi's 20 years of service in the House of Representatives.

Mario Biaggi and I shared in the representation of a portion of Westchester County. Congressman Biaggi earned the respect of his constituents in Westchester County and the Bronx for his sympathetic understanding for the courageous work of the cop-on-the-beat, for his eloquence in defending the rights of the elderly and handicapped, for his tenacity in fighting narcotics, and for his advocacy of the rights of all individuals suffering from persecution and intolerance of their personal beliefs whether it be in Northern Ireland, Behind the Iron Curtain, in the Middle East and elsewhere throughout the world.

Throughout his 25 years of public service, Congressman Biaggi was perhaps best remembered as "the most decorated cop in America." Wounded 10 times in the line-of-duty, this accolade was well-deserved, and Congressman Biaggi became the only New York City policeman named to the National Police Hall of Fame.

I served with Representative Biaggi on our Ad Hoc Congressional Committee for Irish Affairs, a human rights cause in which our former colleague has been a dedicated leader. As vice chairman of the Committee on Merchant Marine and Fisheries, our colleague from New York was particularly effective. I shall always recall our efforts to secure fair and equitable benefits for merchant mariners who served side-by-side with our World War II veterans in that valiant conflict. We prevailed in that effort, and I am confident that Representative Biaggi will also prevail against other obstacles and tribulations which may confront him.

I understand that his supporters recently honored Congressman Biaggi with a gala reception celebrating his career. I know that the gentleman from New York was deeply touched by this outpouring of public sentiment, and I know that the 19th Congressional District has enjoyed the representation of a committed, caring, and passionate legislator. Mario's presence in the Congress shall be deeply missed.

Mr. RANGEL. Mr. Speaker, I yield to my friend, the gentleman from New York [Mr. OWENS].

Mr. OWENS of New York. Mr. Speaker, I congratulate my colleague, the gentleman from New York [Mr. RANGEL], for holding this special order. I, too, want to lend my voice in tribute to Mario Biaggi and speak on some subjects I have not heard mentioned thus far.

I was at a luncheon in honor of Mario today, and I heard some of the same kinds of things I have heard repeated here. Everybody knows that

Mario is a decorated police officer, he has been saluted for his bravery, everybody knows of his great concerns for law enforcement and his association with law enforcement, legislation with the merchant marine, with the support for certain ethnic groups, and there are a number of things that are well known, and I do not think it is well known that Mario Biaggi served on the Committee on Education and Labor, and he was intricately involved in some of the best and most productive legislation of that committee.

As a newcomer to the House of Representatives, I joined the Committee on Education and Labor and watched the performance of Mario Biaggi as one of the steadfast members of that committee. Always he seemed to know the details of the legislation before us, especially the process of reauthorizing the Higher Education Assistance Act of 1986, which is probably one of the most monumental pieces of legislation that I have been involved in since I have been here, and a piece of legislation which has an impact on the lives of young people throughout this Nation. That reauthorization, I think, did a great deal in taking back many of the things that had been lost over the previous years to the Reagan administration's cuts.

Mr. Speaker, I watched Mario and watched how he operated as a scholar and expert throughout that whole proceeding. He knew in great detail all of the facets of the bill, and he particularly knew how to protect New York City's interests. There are peculiar interests that New York alone has in terms of large numbers of part-time students, various problems with 2-year colleges, a number of things that I saw Mario take the lead on and serve as advocate for those students. Of course, then, I was quite surprised to learn of his tremendous knowledge of child-care programs, adoption services, foster care, child abuse; his knowledge and his great interest in the knowledge of and the scholarly understanding of the Higher Education Assistance Act was surpassed by his knowledge and his passion for the child care programs, the programs related to adoption, programs related to child abuse.

When I became the chairman of the Subcommittee on Select Education which was responsible for child abuse prevention legislation, I discovered how much not only that Mario knew about it but how much he cared about it, how over the years he has been very much identified with this kind of legislation and knows what is going on, especially in New York in terms of the institutions and the people who are in the forefront of work to prevent child abuse.

Mr. Speaker, I am here to speak on behalf of those who are not here, the students who benefited greatly from

his involvement in higher education matters over the years and for the children who do not ever know that he was their protector; I salute him for his work in that area, and I very much would like to highlight it, because it is always left out.

Mr. Speaker, I think that he was as brave and as courageous and as monumental and made as much of a contribution to those two areas as he did anywhere else, and I want to add my voice to the salute to Mario Biaggi.

Mr. HORTON. Mr. Speaker, I rise to draw my colleagues' attention to the many contributions of Congressman Mario Biaggi. As a child of poor Italian immigrants, Mario had to work hard to overcome many hardships. To help his family make ends meet, and to serve the people of New York, he began to work as a policeman.

Mario Biaggi was a member of the New York City Police Force in Manhattan for 23 years and remained dedicated to his job despite being wounded in the line of duty 10 times. During his tenure with the police force, Mario Biaggi received 28 commendations for heroism. This included being given the Police Medal of Honor for Valor, the highest award in the New York City Police Department.

Mario Biaggi went on to receive a law degree at the age of 43. In even more proof of his tenacity, he then went on to run for Congress. As a Member of Congress, Mario was an important friend to the merchant marine industry. As the vice chairman of the Coast Guard and Navigation Subcommittee of the House Merchant Marine and Fisheries Committee, he worked for the environment by writing legislation to clean up oil spills.

I had the privilege of serving with Mario as fellow members of the New York State delegation. Together we worked on achieving a home port for the U.S.S. *Iowa* in New York City, against the distribution of "cop-killer" bullets, and to give assistance to the elderly and handicapped, among other issues.

Mario Biaggi will be truly missed by his constituents in the Bronx and by his colleagues in the U.S. House of Representatives. My wife, Nancy, and I wish to express our best wishes to Mario and his family.

Mr. STRATTON. Mr. Speaker, when I first became a member of the New York State congressional delegation, I did not know many of the city members. But there was one member of the delegation whose name was a household word in New York City—Mario Biaggi, the most decorated member of the New York City Police Department.

I was delighted to come to know Mario and to serve with him over the years. He was a leader in the Committee on Education and Labor and was also a strong supporter of senior citizens. Although of Italian birth, Mario

organized a congressional group of members to provide help for the people in Northern Ireland who wished to be part of the Irish free state.

No wonder the people of New York hailed Mario Biaggi. They knew he was on their side.

We wish him and his wife the best of health and the best of luck in the days ahead.

Mr. FISH. Mr. Speaker I rise this evening to pay tribute to a friend and colleague, Mario Biaggi. Mario and I came to this institution together in the 91st Congress. Now 20 years of friendship and 10 Congresses later, I stand before the House of Representatives and state without hesitation that Mario has demonstrated to me, the New York delegation, current and past colleagues, that he has been a diligent, efficient public servant.

As a police officer he never spared himself in the pursuit of his duties; as a Member of Congress, he has been a dedicated Representative of the 19th Congressional District of New York and a champion of education. I have worked most closely with Mario on the Ad Hoc Congressional Committee for Irish Affairs, which he chairs and I serve as cochairman. Under his direction, the committee has promoted peaceful and just solutions in Northern Ireland. It has raised the awareness of the American people to the injustices in Northern Ireland. The committee opposes violence of any kind as a solution.

Mario has been a leading advocate for changes in United States visa policy to allow visits from political figures in Northern Ireland. He has been a strong ally in the campaign to secure passage of the Northern Ireland Fair Employment Practices Act, legislation that I introduced to combat religious discrimination in the workplace. Mario has carefully nurtured the Ad Hoc Committee for Irish Affairs into one of the strongest and most effective caucuses on Capitol Hill.

Mario's career in the House of Representatives has come to an end, but his accomplishments over the last two decades will remain as a monument to a dedicated and exceptional legislator.

Mr. DOWNEY of New York. Mr. Speaker, I am proud to join my colleagues in honoring my good friend, colleague, and fellow member of the New York delegation, Mario Biaggi.

For over 40 years, Mario Biaggi has been employed in the service of the residents of New York City. For 23 years, Mario served as a member of New York's finest, retiring as the most decorated officer in the New York Police Force. Since that retirement, he has served the residents of New York's 19th Congressional District in the Bronx, here in the House of Representatives. The high degree of popu-

larity he has enjoyed with his constituents is testimony to the level of service he provided to them.

Throughout my seven terms in the House, and especially as a young man in my earliest terms, Mario Biaggi was always there with willing advice and assistance. He never hesitated to help or to listen. These are the qualities that have endeared him to me and to his constituents. It is also why we will miss him. We will not easily forget Mario Biaggi's legacy of service.

Mr. SHUMWAY. Mr. Speaker, I appreciate having this opportunity to reflect upon the career of our friend and former colleague Mario Biaggi, with whom I was privileged to serve on the House Committee on Merchant Marine and Fisheries, as well as the Select Committee on Aging.

Although I represent a different side of the aisle and a district on the opposite coast, there were many areas in which we saw eye to eye, and much about Mario's dedicated public service that I admired. During his many years as chairman of the Merchant Marine Subcommittee, he demonstrated a tireless commitment to this American industry, with its numerous and complex problems. He also had a keen understanding of the valuable contributions played by the Merchant Marine in time of national emergency, when their service becomes defense oriented. And I know that America's seniors were equally well defended by Mario from my experience with him on the Aging panel.

Mario Biaggi's record of heroism with the New York City Police Department is well known even to Californians like me. At various levels of Government, he has contributed his leadership, and he has left his mark. I appreciate having this opportunity to say goodbye to him, and to wish him well.

Mr. ANNUNZIO. Mr. Speaker, I rise to join with my colleagues in the House of Representatives in paying tribute to Congressman Mario Biaggi, in recognition of his 20 years of dedicated service to his constituents from the 19th Congressional District of New York.

Before coming to Congress, Mario Biaggi served as a member of the New York City Police Department from 1942 through 1965, where he demonstrated on numerous occasions his bravery and heroism. He was wounded 10 times in the line of duty, and received 28 decorations and commendations for his actions, including the highest award of the department—the Medal of Honor for Valor. He retired from the force with the rank of detective lieutenant.

Elected to the 91st Congress in 1968, Mario Biaggi continued in his public service career of devoted and selfless service, compiling an outstanding record of achievement. He tirelessly

represented the concerns of his constituents as a member of the Subcommittee on Human Resources, the Subcommittee on Select Education, the Subcommittee on Labor-Management Relations, and the Subcommittee on Elementary, Secondary, and Vocational Education of the House Education and Labor Committee. He proved himself a most effective legislator as chairman of the Subcommittee on Merchant Marine of the House Merchant Marine and Fisheries Committee. In addition, he served with distinction as a member of the Subcommittee on Human Services of the House Aging Committee.

Mr. Speaker, Congressman Biaggi is a man of compassion and courage who cared deeply about his constituents, and he will be missed by all of us in the House of Representatives who had the opportunity to work with him and to know him as a friend. His dedicated 20 years of service to the House has left a lasting impact on this Nation and his constituency which he so proudly represented.

Mr. GOODLING. Mr. Speaker, Mario Biaggi was a colleague of mine on the Committee on Education and Labor for 14 years. During that time he was an active and committed participant in the creation and reauthorization of many important education programs.

As you know, Mario was wounded several times in the line of duty as a New York City Police Officer. It always was an inspiration to see the Congressman making his way, with the aid of a cane, through the crowded hearing room toward his seat on the dais. Once in place, he was an intense participant and always pushed witnesses with his probing questions. Not one to beat around the bush, Mr. Biaggi asked his questions, got a clear answer, and made his point.

Mario represented the 19th District of New York. His district included parts of the Bronx, an area with many social and economic problems. The education programs under the jurisdiction of our committee were critical to the youngsters in his district and he was a solid supporter of them. Chapter 1, the child nutrition programs, bilingual education, and many other Federal education programs came out of the last 8 years strong and intact because of the support of Members like Mr. Biaggi.

Most recently, the Committee on Education and Labor reauthorized most of the major Federal elementary and secondary education programs. H.R. 5 had the backing of Mario Biaggi throughout the process and contained a special program that he championed. While feeling very strongly that the Federal Government has a responsibility to assist the disadvantaged student, he also believes that there is a need to provide increased op-

portunities for our gifted and talented children.

The Gifted and Talented Children Program contained in Public Law 100-297 was first introduced in the House of Representatives by Mr. Biaggi. The Congressman carried this program through the hearing process, the markups, and is largely responsible for its inclusion in the Hawkins-Stafford amendments. The fiscal year 1989 appropriations bill contains \$8 million for gifted and talented education. It will be a fitting tribute to this friend of education that thousands of eager young boys and girls will be challenged and pushed to higher levels of achievement as a result of his work.

Mr. ROYBAL. Mr. Speaker, I would like to take a moment to share some comments about my good friend, and a great friend to the elderly of America, Mario Biaggi.

For the past 20 years, Mr. Biaggi has served the interests of his constituents with various committee assignments that included Education and Labor, Merchant Marine and Fisheries, and the Select Committee on Aging. It is on the Aging Committee that I had the pleasure to serve with Mr. Biaggi on behalf of the elderly in need of a strong ally in the Congress. With his assistance from the Education and Labor Committee, legislation was introduced which not only benefited the elderly, but also was of assistance to the disabled, to the Nation's educational system, and to the many in need of strong Federal support for service programs in our Nation.

As chairman of Aging Committee's Subcommittee on Human Services, Mario Biaggi was instrumental in working on reforms to the Older Americans Act, the most important vehicle for services to older persons. During the 1987 reauthorization, Mr. Biaggi worked long and hard to provide for changes that benefited the most vulnerable of older Americans—the frail, the oldest old, the low income, and the ethnic/racial minorities.

It is with pleasure that I stand here today to honor a man who worked so hard in his 20 years in Congress on behalf of all older Americans.

Mr. LENT. Mr. Speaker, I join with my colleagues in paying tribute to a respected colleague and very dear friend, Congressman Mario Biaggi. Mario is retiring after 20 years in Congress and I welcome this opportunity to recognize his many laudable achievements.

Mario's distinguished career in Congress has been marked by superlatives. Dubbed "New York's Best Service Congressman" by his constituents, Mario has consistently demonstrated his dedication and effectiveness in representing the people of the 19th Congressional District. As the head of a

special congressional task force in 1978, Mario's leadership and tenacity have been credited with helping save New York City from fiscal ruin and collapse.

But Mario's legendary compassion and determination extend well beyond the confines of his 19th Congressional District. Mario has established himself as a leading activist for numerous other important national and international causes. As the founder and chairman of the Ad Hoc Congressional Committee for Irish Affairs, Mario has worked tirelessly to end the violence in Northern Ireland and to promote human rights and peace in that war-torn country. A former New York City police officer whose extraordinary valor and bravery are well documented, Mario has also been a leader in the effort to combat crime and ensure the safety of our citizens. He has been an eloquent and effective spokesman for our Nation's law enforcement officers and his expertise in this area will be sorely missed.

Mario is truly a remarkable man. Whether he was working to prevent child abuse or promoting the rights of the handicapped and elderly, the one thing that consistently stood out among all Mario's many attributes was his deep compassion for people. His idealism and enthusiasm for bettering our Nation and our world have infected us all and will enable us to carry on his good works in Congress. I wish Mario all the best and feel very fortunate to have been able to work with him for these many years in Congress.

Mr. JEFFORDS. Mr. Speaker, I thank the gentleman from New York [Mr. RANGEL] for organizing this special order to recognize the long and distinguished legislative record of our former colleague, Mario Biaggi. While considerable attention has been focused on Mario over the past year, little notice has been paid to his extensive legislative record and his many efforts to improve the quality of life for elderly and less fortunate Americans.

Because I served with Mario for many years on the Education and Labor Committee, I will focus my remarks upon my knowledge of his work in this area. Many of the causes Mario championed were ones that I also supported, and I was pleased to join him in several efforts. For example, the nontraditional student in postsecondary education programs, the gifted and talented youngster in our local education systems, and the older American both at work and in retirement. Each is an individual with a distinct need that may not be addressed by the mainstream programs we tend to broadly define in many of our legislative endeavors.

Nontraditional and part-time students represent the fastest growing component of postsecondary education. Between 1972 and 1982, part-time

student enrollments increased 65 percent, accounting for over 5 million students. This figure represents fully over 40 percent of all postsecondary education enrollments. At a time when full-time enrollments are declining, part-time enrollments will continue to grow.

Part-time students tend to be older than the traditional postsecondary education student. More of them have family and work obligations. The Federal role in higher education has always been first and foremost, to provide access and choice to those who face special barriers to obtaining postsecondary education. Until Mr. Biaggi fought in the 1986 reauthorization of the higher education amendments to have less than half-time students recognized as eligible for receipt of student financial assistance, we failed to assure that this nontraditional cohort had similar opportunity for access and choice. Because of his efforts, less than half-time students are now eligible to qualify for Federal financial student assistance.

I was pleased to be able to join Mr. Biaggi twice in cosponsoring legislation which would provide assistance to this Nation's gifted and talented students. This legislation was successfully included in the Hawkins-Stafford Elementary and Secondary School Improvement Amendment of 1988.

Gifted and talented children and youth have special needs. Often these students are not even identified through the regular school process. Unless the special talents of these children are recognized and developed during their elementary and secondary school years, much of their potential for contributing to our national interest will be lost. These are our best and brightest students and we need to assure that they are specifically and effectively served by our school systems. Fortunately, through the efforts of Mario Biaggi, efforts are now underway to meet this challenge.

Finally, as we who served with Mr. Biaggi on the Education and Labor Committee and the Select Committee on Aging know well, he labored long and hard and very successfully in advocating for and championing interests of our Nation's senior citizens.

There are few if any laws affecting the elderly that have been enacted since he has served in this body that are not replete with provisions that he authored and for which he doggedly fought. Surely, the Older Americans Act is a living tribute to his untiring efforts on behalf of our seniors. With a unique empathy for our poorer and frailer elderly and a special sensitivity to the needs of our minority elderly, Mr. Biaggi sought changes that would improve the quality of life that would be enjoyed by all our seniors in their golden years.

This Nation's senior men and women have lost the services of no finer friend than Mr. Biaggi. And for those of us who share his deep compassion for the elderly, there remains the challenge of continuing to advance and promote the initiatives which he developed, fought to have enacted, and for which he will long be remembered.

Mr. Biaggi's efforts and unending support for these and other issues that were near to his heart will be missed. He challenged all of us to work to improve the quality of life for many Americans. We will miss his support and legislative efforts on their behalf.

Mr. GARCIA. Mr. Speaker, I rise to pay tribute to my friend and colleague, Mario Biaggi, longtime Congressman from the Bronx, NY.

Mario Biaggi has had a long and distinguished career in public service, devoting his life and career to the people of the Bronx.

Mario Biaggi was born in Harlem in 1917 to Italian immigrants and worked his way up from cleaning office buildings to a distinguished career with the New York City Police Department to a dedicated and effective career in the U.S. House of Representatives.

As a New York City police officer for 23 years, Mario Biaggi was wounded 10 times in the line of duty. He also received 28 commendations for heroism while on the force. In 1960 he received the police Medal of Honor for Valor, the highest award available to New York's police force.

Mario Biaggi was elected to Congress to represent the Bronx in 1968 and served the people for 20 years. He served on various committees, including Education and Labor, Merchant Marine and Fisheries, and Aging, and was an effective and caring legislator during those years. The people of the Bronx were served by an effective voice during Mario's tenure.

Mario Biaggi will be greatly missed in the House and I ask my colleagues to remember Mario in their prayers. He was a good friend and colleague. His record of service is something that his friends and constituents can look upon with pride and satisfaction. To Mario I would simply say, God's speed Mario, our prayers are with you.

Mr. BONKER. Mr. Speaker, I believe that all those Members of this House that have had the chance to know Mario Biaggi are saddened by his legal problems and his resignation. We are saddened because we have lost from this body a kind and compassionate man, and an excellent legislator.

Today we have the opportunity to recognize the many accomplishments of Mario Biaggi. We cannot approach the tribute which his constituents, and many others across the country would bestow on him if they were given an opportunity.

Mr. Speaker, the circumstances which led to our colleague's resignation do not undo the advocacy and legislative service that he has provided to this country. He deserves to be recognized for his accomplishments.

Mario Biaggi has contributed to our society with legislation ranging from banning cop-killer bullets to improving the minimum wage, but today I simply want to add to this recognition a reminder to my colleagues of the distinguished service that Mario Biaggi gave as chairman of the House Select Committee on Aging's Subcommittee on Human Services, and as an active member of the full committee.

Mario Biaggi was an original member of the Select Committee on Aging and over the past 11 years as chairman of the subcommittee, Mario Biaggi has conducted over 100 hearings and published numerous reports on key issues affecting older Americans. The goal of these hearings was always to seek the facts, make the public aware of important issues facing the elderly, and to develop effective and compassionate solutions to the problems of older Americans. Suffice it to say, he has reached this goal, time after time. He has, in a positive fashion, affected the legislative process, the regulatory process, and our perceptions of the needs of the elderly.

Mr. Biaggi has been extremely effective in using his position on the Education and Labor Committee to advocate in behalf of the Older Americans Act programs. He has converted the knowledge and experience gathered through his work on the Aging Committee into countless legislative successes, including work on the reauthorization of the Older Americans Act 11 times.

The Aging Committee has been fortunate to have such distinguished chairmen as Senator CLAUDE PEPPER and Representative EDWARD ROYBAL, but there is not a Member of this House that has done more to promote and improve the Older Americans Act than Mario Biaggi. The Older Americans Act serves millions of needy older adults each year by providing home delivered and congregate meals, transportation, home care, adult day care, elder abuse prevention, employment, and other social services. Mario is responsible for developing and improving many of these services. He has shown steadfast commitment to this important program.

Representative Biaggi has also served as a delegate to the World Assembly on Aging in Vienna, played a key role in the fight to end mandatory retirement, and led the congressional effort to provide grandparents with visitation rights to their grandchildren when divorce occurs. Mario has truly been a friend of the elderly.

Mr. Speaker, Mario and his staff on the Subcommittee on Human Services have received numerous awards and distinctions over the years for their superior service, and it is appropriate to mention Bob Blancato and Moya Benoit who have served on his staff at the subcommittee. Bob Blancato has served with distinction as the staff director of the subcommittee for 11 years; he is known across the country as an expert on aging issues. And I am pleased to say that Bob and Moya will continue their excellent work with Tom Downey, who now chairs the subcommittee.

In behalf of the elderly of this Nation and those who support programs for older Americans, I thank you, Mario, for your commitment and immeasurable contributions to the quality of life for older Americans.

Mr. MAZZOLI. Mr. Speaker, I rise today to pay tribute to former U.S. Representative Mario Biaggi for his 20 years of diligent service to the citizens of the Bronx, NY, and to the Nation in general.

When I came to Congress, Mario and I were colleagues on the House Education and Labor Committee. Mario, who already had 4 years of service under his belt, was most gracious to this newcomer as he helped me learn the "legislative ropes" on the committee and in the House.

Most know Mario from his work in behalf of law enforcement personnel. Both in the Congress, and in his days on the New York City Police Department, where he became its most decorated police officer, Mario's efforts for New York's and our Nation's finest is distinguished.

Many of us are also aware of the compassionate and unfailing service Mario provided to New York's 19th District. He represented his constituents with diligence and hard work, paying particular attention to those who are too often overlooked—the young and the elderly.

I am sorry for Mario and his family that his career had to end in the manner it did. But, this will not and should not erase from the historical record of the House the excellent work he did while among us.

Mr. RANGEL. Mr. Speaker, I would like to take this time to thank that wonderful staff led by Bob Blancato of Congressman Biaggi and, of course, we are going to put together not only what we have said this evening but the statements that so many Members have entered into the RECORD and those that were given to me to put in by the gentleman from New York [Mr. LENT], the gentleman from New York [Mr. FISH], the gentleman from California [Mr. SHUMWAY], the gentleman from New York [Mr. DOWNEY].

We have our peaks and our valleys, but I am reminded by a friend of mine who worked under Mario when he was

a lieutenant detective, and I am reminded because my friend, the gentleman from New York [Mr. MANTON], refreshed my recollection, and he said, "Do you know Mario?" I said, "I know him." "Well," he says, "I just want you to know that he is a standup guy, and he had a lot of class when I worked with him," and I can tell him that today, that even though life has its peaks and its valleys that we will be able to put the record of what we have said today to give to his family, his children and grandchildren, and as he came here and as he leaves here, he is still a standup guy, and he leaves with a lot of class.

ORDER OF BUSINESS

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. PACKARD], who has a very brief special order, may immediately precede me.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

AMERICA SHOULD NEVER ALLOW THE SPIRIT OF ADVENTURE TO DIE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PACKARD] is recognized for 5 minutes.

Mr. PACKARD Mr. Speaker, I stand before the House tonight my heart filled with pride due to the successful launching of the space shuttle *Discovery*. Two-and-a-half years ago this country suffered a tremendous tragedy with the loss of those seven shuttle astronauts aboard the *Challenger*. Today, America stands proud as we watched the renewal of our space program.

I also believe we have reached a turning point in the U.S. Space Program. We are no longer the dominant force in international space research or implementation. Gone are the days of Apollo and missions to the moon. Gone are the days of Skylab and volumes of rewarding research gathered. We are faced with new challenges and we cannot afford to look back, but must remember to go forward. America should never allow the spirit of adventure to die.

More than anything else, I believe today's launch should become a theme for NASA. The theme is discovery. We move forward toward a time when we must seek new space research techniques, new exploration, and a greater sense of direction. If we do not work toward these goals, our space program will be less than this Nation deserves or can afford to keep. NASA will become a second rate operation.

Therefore, I believe we must look forward and choose a direction for our space program. Will the shuttle be the only leg on which we stand? I don't believe it should be. Will we look toward alternative developments such as the space plane and space station? I believe we should. They offer a promise of a new direction into space—a new direction we cannot afford not to follow.

In order to move in this direction, Congress has supported and the President has signed legislation authorizing \$900 million in new funds to be used toward research and development of a space station. However, our next President may, if he chooses, withhold \$515 million of this funding. I have introduced a resolution which expresses the sense of Congress that both Presidential candidates should endorse full funding for this program.

It is our sense of discovery that kept us looking to the Moon. It is our sense of discovery that kept skylab orbiting the Earth. We must keep our curiosity when looking to the stars. If we do not, we risk losing precious knowledge for future generations. This investment must be made before it's too late. I call on this body, the 100th Congress, President Reagan and the citizens of this great Nation to invest in the discovery of future knowledge. Let's invest in the space station.

UNITED STATES-PHILIPPINES BASE AGREEMENT NEGOTIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 60 minutes.

Mr. BEREUTER. Mr. Speaker, I rise tonight, before the 100th Congress adjourns sine die in a few days, to express my concern and dismay at the tenor of the dialog between the United States and the Philippines in our ongoing review of United States military facilities in that country. The demands and not-so-veiled threats being publicly hurled by the Philippine negotiators are inconsistent with the long, friendly history and sound relations between our two nations. The negotiations have degenerated into hard and highly emotional bargaining on how much money the United States will pay in rent during the coming 3 years for its major military installations in the Philippines—Clark Air Force Base and the Subic Bay Naval Facility.

The high state of rhetoric distorts a relationship which, from the United States point of view, encompasses a wide range of mutual interests including our support of an emerging democracy, our concern about the potentially destabilizing effects of the Communist insurgency in the Philippines, on the special sentiments that over 2 mil-

lion Philippine-Americans have for their mother country, and on our legitimate concern for the security of the Philippines and its geostrategic role in the security of Southeast Asia. The strident demands for larger payments run counter to the growing regional and international responsibilities attendant to a developing democracy. Further, the harsh tone of the discussion between two friends strikes a discordant and disturbing note at a time when oftentimes more moderately worded negotiations between hostile powers are taking place in other parts of the world, such as Angola, Iran-Iraq, Vietnam-Cambodia, and Afghanistan.

If the current review fails, the United States will continue its military operations from the Philippine installation for the next 3 years, making its "best efforts" in assistance provisions. Such an arrangement is provided for in the initial military base agreement entered into in 1947, as amended by 5-year reviews undertaken to assure that the mutual interests of both parties are being served by the agreement. However, the failure of current discussions would inflict substantial damage on the prospects for successful negotiations for a new agreement to replace the current one which lapses in 1991. After that date, either Government can terminate the agreement with a 1-year notification. The negotiations for a new agreement are expected to commence next year.

Although unfortunately United States-Philippine 5-year reviews are usually attended by shrill emotional debate and outrageous exchanges, they are inappropriate to the current discussions. The conditions surrounding such negotiations have changed and excess hyperbole could jeopardize for both parties the outcome of important future negotiations. We do not want to back ourselves into corners. We do want to reach an equitable agreement which serves the interests of both parties. I believe that for the time being, the interests of both countries are in maintaining a U.S. military presence in the islands. Over time, this situation may change. But for now, it is crucial to avoid poisoning the atmosphere for future negotiations.

Clark Air Force Base is the largest outside the United States. Subic Bay is the largest naval depot in the world. These two installations support two of the three regions in the world in which we maintain forward deployment. They support operations in Northeast Asia, where the Soviet Pacific fleet is based. They support operations in the Indian Ocean and Persian Gulf and inhibit Soviet access to the Middle East. They provide security for the Western Pacific and Southeast Asian regions. Redeployment of these facilities would be costly and would present operational coverage prob-

lems. But I would say to our Philippine friends, redeployment is not out of the question. The United States is not without alternatives. We are not required or willing to pay any price.

If the price demanded by the Philippines is considered too high and too many restrictions are placed on our operations there, redeployment may be the preferred option. Among the demands the United States absolutely cannot accept are the Philippine request for annual payments in excess of \$1 billion, advance notification of the transit or storage of nuclear weapons, and prior Philippine approval of United States operations from the bases that are not related to the United States-Philippine Mutual Defense Treaty.

The United States has been the leading supporter of the Philippine transition to democracy. The U.S. Government—the executive and legislative branches together eventually pressed the Marcos regime for democratic reforms. We encouraged the non-Communist political opposition, the Catholic Church, business and military in their efforts to achieve reforms. Together the two branches eventually pressed Marcos to step down.

Equally important has been our continuing support of President Aquino and her efforts to build and institutionalize democratic structures. Our foreign assistance to the Philippines has almost doubled although our own budget constraints makes it difficult to maintain the one-half billion dollar per year bilateral aid level. The Congress and the Reagan administration suggested a multilateral donor plan—a mini-Marshall Plan—for up to \$10 billion over 5 years for the Philippines. Money would come from the United States, Japan, ASEAN, private investors, and the multilateral development banks. We are now in the process of discussing this concept with other Governments.

The United States has and continues to demonstrate its support of the Philippine democracy and, to that extent, encourages the rising sense of nationalism in that nation. However, we are not undervaluing our bases there. It is not a matter of what we are willing to pay—it is a question of what we can pay given our own budgetary problems and global security commitments. These limitations confront not only the administration in its negotiations with the Philippine Government, but also the Congress.

Continued United States military presence in the Philippines clearly demonstrates United States support of, and commitment to, the strengthening of a democracy and contributes to the stability of this delicate transition from the Marcos regime to democracy in full flame. It also represents a deterrent to the communist in-

surgency and foreign support of it or of other efforts to thwart the building of a democratic government. The bases themselves represent a source of jobs to some 65,000 Filipinos—the second largest employer after the Philippine Government. They represent an important source of income to the republic—estimated at about 2.5 percent of the Philippine GNP.

The presence of the U.S. bases on Philippine soil enhances the regional role of both the United States and the Philippines, particularly with ASEAN nations and with the Japan nation of which relies on the South China sea lanes for the transit of most of its imported oil. The world, particularly the world economy, is becoming inextricably intertwined. Providing for the security of regions is not limited to preventing military confrontations, the goal is also to provide a stable basis for political and economic commerce and development. That is a distinguished and important role for any nation—for the United States and especially for a nation like the Philippines which is in the process of developing politically and economically.

Statements from the Philippines to the effect that more money is needed for the bases to satisfy growing feelings of nationalism actually ill serve the interests of the Philippine people. If nationalistic tendencies were paramount, then lesser economic dependence rather than greater would be in order. The Philippines is not in the midst of an effort to throw off the yoke of superpower colonialism. It is and has been an independent nation for over 40 years. It is developing and strengthening democratic institutions with the encouragement and help of the United States.

Likewise, the often-cited United States payment to Israel and Egypt in AID moneys for maintaining peace in the region without providing bases—no matter how one feels about such expenditures—is not analogous to the Philippine situation. There are very different histories, different geostrategic interests, and very different conditions that prevail in these two situations.

The rhetoric now coming out of the Philippines must be replaced by more responsible dialog. We cannot let rhetoric become reality. The present discussions on the review will lay the groundwork for the upcoming agreement. The nature of Philippine public opinion will be crucial to the success or failure of these negotiations. Unlike the past, the Philippine Senate will have to approve any agreement. In addition, it may be subjected to a referendum. In 1992, the Philippines will hold a Presidential election and the political dialog will run high, heated, and exaggerated in the preceding year—the year in which the new agreement will be decided.

Confrontation and brinksmanship are risky policies in view of U.S. economic constraints. The United States concerns about and efforts to support the Philippines make this approach particularly irksome.

Discussions should seek more creative or innovative approaches. For example, suggestions for regional support of the United States bases in the Philippines should be explored. Efforts for a mini-Marshall plan should be pursued. New approaches to bilateral aid such as debt-swaps and trade concessions should also be examined.

The Philippines, with its fragile evolutionary steps toward democracy, its troubled economy, and the internal threat of a Communist insurgency, puts a great deal of risk in tainting the atmosphere for the future base agreement and brings into question whether, because of accentuated opposition, these base agreements will remain. Concluding an agreement after the atmosphere is think changed might then be politically impossible—despite any mutual agreement by the political leadership of the two nations that the bases should remain. Such a loss would be very costly to both nations. Over time, with changing conditions and priorities, both governments may wish to move the bases elsewhere. Right now, however, the United States bases in the Philippines are crucial to both countries. Our dialog should reflect that fact.

In an aside, I would like to note that the Soviet suggestion that it would dismantle its radar in Krasnoyarsk and close its facility at Cam Ranh Bay in exchange for a United States withdrawal from Clark and Subic Bay does not represent a reasonable offer or a symmetrical reduction. Furthermore it is clear that such a Soviet offer is intended to complicate United States—Philippine negotiations and serve the Soviet's self-interest. Krasnoyarsk is a violation of the ABM Treaty and should be dismantled without any similar action by the United States for a great many obvious reasons the Cam Ranh Bay facility is not analogous to our installations at Clark and Subic Bay.

In conclusion, this Member calls attention to what should remain obvious, that the United States and the Philippines share a long and special history of friendship and cooperation. Following the recapture of Corregidor by Allied Forces in World War II, Gen. Douglas MacArthur noticed that the old flagpole that had flown the American flag during the long, but ultimately unsuccessful holdout against the Japanese was still standing. He directed the Col. George Jones to have his troops "hoist the colors to its peak, and let no enemy ever haul them down again."

We must make sure that no enemy hauls the flag down. But more impor-

tantly, we must make sure that our actions do not bring that flag down before we—the United States and the Philippines acting together want it to come down.

□ 2045

CONSIDERATION OF CONFERENCE REPORT ON WELFARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS of New York. Mr. Speaker, tomorrow we will be considering the conference report on welfare reform. It is generally conceded that this conference report will probably pass the House by a landslide vote. The contents of the report, although it is not generally known since the report is not printed and not available to Members yet, but what is known of it, certain segments of it are being applauded by editorials across the country. It is generally assumed that we have here a major reform of the welfare program, a major reform of the act, the most monumental kind of change in the last 50 years or more than 50 years. So it is very interesting that although we have this monumental change, the first to take place in 50 years, a major revision of the Social Security Act. It is being rushed and stampeded into probable passage but for some reason we are not even being given a chance to read the conference report.

Now the conference report is the result of deliberations that took place between the Senate, the House, and the White House. Unfortunately, the conference report is far different from the act that passed this House, H.R. 1720. H.R. 1720 passed this House, it was a very different welfare reform bill from what we have read, the conference report now appears to be. Nevertheless, there is a great sense of emergency and urgency, for some reason, that this report must be rushed through. Members will not even have a chance to read it. I do not know what the urgency is or the emergency is. We are making a change that we waited more than 51 years to make. Many of the features of the bill will not go into effect for 1 year and many for 3 or 4 years. So what is the hurry? Why are we being stampeded and why can we not be allowed to read the conference report? Some of the things in there are known already, and the dramatic changes between H.R. 1720 that left this House and what the conference report looks like now has already been brought to the attention of several major groups in this country who are interested in legislation related to welfare, interested in legislation related to jobs, also interested in legislation

related to child care, because involved in this reform are all three. Child care is a major concern, jobs are a major concern and what happens to families, of course, is also a major concern.

□ 2100

It is a major revision of the Social Security Act. Organizations that know certain basics which have been changed are now in opposition. Many organizations that supported H.R. 1720, as I did, reluctantly when I voted for H.R. 1720 because I was promised that it would be the kind of thing that would prevail in the conference with the Senate and House conferred. I was very reluctant because of the fact that in the era of Ronald Reagan, while Ronald Reagan is still in the White House, this President has already made it clear how he feels about anybody who is powerless. People who are on welfare are powerless. This is a President who has made it impossible for us to get a decent job bill during the course of his Presidency. We have not had decent job legislation while Ronald Reagan has been President. In fact, we have had dramatic changes in job legislation. We now have a JTPA which everybody agrees is defunct almost, has no impact on people who need jobs most.

My reasoning is: Why should we have a welfare reform bill which proposes to replace welfare with jobs while Ronald Reagan the President is in office? Why not wait for a new administration? Why rush in the last year of this Presidency? I also reason that if this President, who has made it quite clear that he has no concern for the people on the bottom, for the people who are powerless, if this President is in office, he will insist on certain conditions before he signs the bill. He will send a message to the conferees, the Senate and House conferees that he wants a certain kind of bill, otherwise he will veto it. Certainly any veto of welfare reform could not be overridden by Congress, either the House or the Senate. So, as I say, we are setting up a situation that would be dominated by the President. If you really want a welfare reform bill, if you go through the motions, in the end the President will dictate the nature of the welfare reform bill. And this is exactly what has to happen here. The Senate and House conferees did not work out this bill by themselves. At a certain critical point the Senate and House conferees who were more in agreement with the President were called to the White House for a meeting. Certain conferees who were in disagreement with the President were not invited to the meeting. Experts on jobs, members of the Committee on Education and Labor, were not invited to the meeting. The chairman of the Committee on Education and Labor who has worked for more than

20 years on full employment issues was not a part of the agreement reached with the White House.

So if this is a bill about jobs, if it is being praised by editorials all across the country for its contribution in replacing welfare with jobs, then why were not the people who are designated in the Congress, designated in the House of Representatives to take care of matters relating to jobs, who have jurisdiction over legislation related to jobs, why were they locked out of the process? Why were the people who are concerned primarily with the education of small children, members of the Committee on Education and Labor, why were they locked out of the process? Why were the people who are concerned with education, because part of this process requires a unit in every program which relates to education and job training; so education and what happens with education is a vital part of the process of job training, of the process of moving the person along the road to the point where they can get a job, because to get a job in 1988 and even more so as we move into the 1990's and into the 21st century, to get a job means you have to have a certain level of education. A high school diploma already is almost obsolete. But certainly you have to have a high school diploma, or some specialized training.

So this was recognized and this was part of a long set of deliberations in the Committee on Education and Labor.

We talked a great deal, debated a great deal about the best way to proceed to guarantee that we had a realistic welfare reform bill because it had a component in there which allowed a person to move from being on welfare roles into an educational situation which would set them up to move into a job training and job situation.

We were proud of the legislation, our contribution to H.R. 1720; we were proud of that section of the legislation. But in the critical hours when the conference report that will be before us tomorrow was being decided, our conferees, most of them were locked out of the process. The chairman of the Committee on Education and Labor certainly was locked out of the process. So here is a bill that will be produced tomorrow and the experts were locked out, the experts on education and on jobs were locked out and we are expected to go forward and pass it without having an opportunity to read it. But from what is known about it, the following organizations have indicated they oppose it. These organizations supported H.R. 1720 as it passed the House and now they are in opposition to what they know, to the things that they do know that have been changed in the conference report. AFSCME-AFL-CIO is in opposition, the AFL-CIO is in opposition,

the Americans for Democratic Action are in opposition, Bread for the World is in opposition, Children's Defense Fund now is in opposition; Church Women United, Coalition for the Homeless, Coalition on Human Need, Poor Research and Action Center, Friends Committee on National Legislation, Full Employment Action Council, Interfaith Action, League of Women Voters, National Council of Churches, National Council of IRASA, National Puerto Rican Coalition, National Organization of Women, National Urban League, United Church of Christ, United States Catholic Conference, Wider Opportunities for Women. They are all now in opposition to a bill which they supported in the form as it passed the House.

I want to read a letter from Marian Wright Edelman of the Children's Defense Fund:

CHILDREN'S DEFENSE FUND,
Washington, DC, September 28, 1988.

DEAR REPRESENTATIVE: On behalf of the Children's Defense Fund (CDF), I urge you to oppose the Conference Report on H.R. 1720, The Family Welfare Reform Act, when it comes to the House floor later this week. The Conference agreement on welfare reform fails to ensure poor families the help they need to support their children and move toward economic self-sufficiency.

The final House-Senate compromise permits about one-half of the states to place arbitrary time limits on cash assistance for poor two-parent unemployed families, thereby continuing incentives toward family breakup. In addition, at the ideological insistence of the White House, the agreement proposes to squander taxpayers' dollars by mandating old-fashioned "make-work" programs for two-parent families. Such mandates will be implemented at the expense of far more productive investments in education and training programs for single parents on AFDC who will be unable to enter the job market without such help.

Specific provisions in the Conference Report that will prove most harmful to poor children and families include:

The failure to require that all states must provide full-year coverage under the AFDC-Unemployed Parent Program (AFDC-UP);

The imposition of federal "workfare" requirements on AFDC-UP families in all states, a provision which will force states to divert scarce resources toward non-productive make-work assignments for those parents with the greatest work experience and away from education and training programs for those single parent families who are most likely to become long-term AFDC recipients;

The establishment of rigid participation rates for the regular AFDC caseload in JOBS program activities, thereby focusing resources on compliance with the participation quotas rather than on the intensive services needed to help young single parents move into jobs; and

The lack of a requirement that family day care assisted with AFDC funds, but currently exempt from state and local child care standards, must comply with minimal health and safety guidelines established by individual states or localities.

These provisions undermine the potential gains for poor children and families in the

Conference agreement in the areas of child care, Medicaid transition, and child support enforcement. The additional funds for child care for children in AFDC families and for transitional child care and Medicaid for those families moving from AFDC to jobs are critically needed. Such investments, however, must not be thwarted by requirements which otherwise impede progress for poor families struggling to become economically self-sufficient.

We urge you to oppose the Conference Report on H.R. 1720 and to continue to seek critical improvements for poor children and families in the next Congress.

Sincerely,

MARIAN WRIGHT EDELMAN.

That was a letter addressed to all the Representatives in the House by Mrs. Edelman of the Children's Defense Fund.

A second letter came from the American Federation of State, County and Municipal Employees—AFL-CIO. It states:

DEAR REPRESENTATIVE: On behalf of its 1.1 million members, the American Federation of State, County and Municipal Employees (AFSCME) opposes the Conference Report on H.R. 1720, the Family Welfare Reform Act.

H.R. 1720 falls far short of the balanced system of benefit improvements, education and training services, and work requirements originally envisioned in the House bill which AFSCME supported. Instead, it embraces the Administration's unreasonable quotas for participation in work activities and its punitive and inequitable workfare philosophy, while preserving very little of the enhanced benefits approved by the House.

As a result of this bill, untold thousands of welfare recipients will be forced to work off their welfare grants in state and local agencies without the dignity of a paycheck or the opportunity to get the education, training and job search services they need for real self-sufficiency. The bill fails to assure them equity in the form of full equal pay protection, and it will cause the loss of public sector entry-level jobs that offer decent wages and benefits for low-skilled workers.

Finally, the bill shortchanges young single women on welfare who need education and training services the most. It will drain the efforts and resources of the states away from these young women as the states seek to meet impossibly high and burdensome workfare requirements for two-parent families who do not need "work experience."

In point of fact, H.R. 1720 will be a waste of the taxpayers money, denying education and training opportunities to those segments of the welfare population who need new skills, not make-work, to prepare for full-time productive employment. It will also create considerable chaos in the public sector and violates the basic principles of fairness and equity. It should be defeated and we urge you to vote against the Conference Report.

Sincerely,

GERALD W. MCENTEE,
International President.

WILLIAM LUCY,

International Secretary-Treasurer.

Now those employees belonging to those organizations are concerned because there is immediate threat to the members. Make-work programs are

programs requiring that welfare members work off their grant and they will immediately put their members out of work. There are people who will be put to work next to municipal county and State employees and they will be working for less than minimum wage, working with no benefits, doing the same work in many cases that employees who are civil service employees will be doing. There is a story often told about the man who was the dogcatcher and the town had problems with their budget. So he was laid off as dogcatcher making \$11 an hour and he was later employed with CETA funds, when the CETA Program came along, and he was reemployed as the same dogcatcher making \$9 an hour and then CETA funds went out and he went on welfare. He was later reemployed as the same dogcatcher at minimum wage, or equivalent to the minimum wage. He did not get any money because he was working off his welfare grant of \$3.35 an hour or less, all in the same job.

Every worker must feel some threat as a result of this kind of movement into an era where people will be forced to work to replace workers who are already in place. People will be forced to work at minimum wage or less than minimum wage without any benefits. It is a threat to the standards for all workers. It also will flood the work force with people who are willing to work for far less than wages that are being paid now.

□ 2115

For the standards of all of the working people in America are threatened by a situation which forces people into a situation which lowers the standards, takes away the benefits, and because they are powerless they must accept it. Certainly union organizers and any attempt to organize against this kind of effort will be very difficult.

We must remember that we will be moving from a situation in the Social Security Act which says that anybody who is indigent, any person who is really poor, cannot take care of themselves, must be assisted by their government. They must be assisted. We are moving into a situation which says, "No, that entitlement is no longer there." If we have a situation with a mother of a child, and the child is 3 years old, we do not have to assist them, they have to go out and get a job. But if they are going to go out and get a job, they will have to have child care. Therefore we have to provide child care for them. If they are to get a job in this very complex work force of ours, they have to have education, but we will provide an education for them. We will provide job training.

Mr. Speaker, all of that is beautiful, and I would applaud it if it were really in this bill, in this conference report,

that will be before us tomorrow. If we really provide it, child care, I would applaud this bill.

The problem is that for the mother of a 3-year-old who now has to go to work or must go into an educational program and leave the child somewhere, that alternative will not be real child care. The alternative will be some makeshift situation which will be paid for by the Government depending on what State a person is in at a rate which is called market rate, and market rate may be quite low indeed. Market rate could be such that one can only find a warehouse or some situation to put their child in which is comparable to a warehousing situation. Poor children who are already suffering will not be any better off if they are put in situations where there will be no developmental program, no one to take them for a walk and fresh air, the problems of disease, the problems of retarded development, all the things that are being suffered by poor children now where their mothers are being taken away. This will only be amplified and only be that much worse, but here is the situation they are being forced into.

In H.R. 1720, as we originally envisioned it, we had minimum requirements so, when we said "child care," and when we forced a mother to put their child into a care program, it had to meet minimal requirements, it had to be a safe situation, it had to be a situation where the child was assured someone would attend to their meals, somebody would attend to their exercise program, and some minimum of education. The usual kinds of standards that are required of child care programs would be required across the board for any arrangements to take care of children, so that is the first fraud that is perpetrated.

There is no real child care here, or, if it is here, it is here with a cap. There is a certain amount of money available, and all of the mothers will be forced to move into a situation where the child must be taken care of.

The amount of money will run out in some States and in some situations earlier than in others. There is no entitlement. There is no open-ended funding. When it runs out, if it is given to certain groups that favor it over others in the administration of it, then tough luck. My colleagues know there will just not be enough or less for those people that come later.

The same thing is true for the Education Program. The States will have the option of whether or not a person can go into a junior college or to college. And I submit to my colleagues that in many situations a high school education or high school diploma is already obsolete.

My colleagues cannot make a person productive. They cannot get a decent

job without having to go to at least a 2-year junior college program, but in many States that will not be allowed. That is considered pampering people, and yet that is the only route out of poverty. The only real job that pays a decent wage, that has benefits, decent health benefits, is a job that results from at least a 2-year college degree. Yet that is cut off. That is optional. Some States may do it, some States may not, and, when it comes to the actual job programs, there is no guarantee that the jobs are there because we have a situation where the people who have suffered the greatest amount of unemployment, the areas in the country with the greatest amount of unemployment, are also the areas which have the largest number of people who are on welfare.

Mr. Speaker, these people are on welfare in most instances because they cannot find jobs, and yet we are assuming that the jobs will be there. And in the Committee on Education and Labor we have been attempting to get job deals going for the last 6 years. Since I have been here we have been attempting to get some decent job legislation.

In fact, the first bill that I introduced upon arriving in Congress was a bill that I knew would take some while before it sank in, before it would pass, and that is a bill requiring the first steps toward a constitutional amendment to guarantee the right to a job opportunity to every American who wants to work.

There are a number of countries in the free world incidentally who have such guarantees in their constitutions, and in the final analysis what this means is that the employer of last resort must be the Government. If jobs do not exist, the Government must yield the jobs, but real jobs, jobs that pay real wages and jobs that have decent benefits.

Jobs and income are at the heart of the solution to all the social problems faced by people on welfare. It does not take a genius to figure out what the problem is. Families who have income, families who have jobs, can take care of most of their problems themselves. The problem is that there are no jobs. The problem is that jobs in McDonald's and Burger King, fast food operations, are really jobs for teenagers. They are not jobs for people with families. A family cannot be supported with the kind of fast food employment that has been created on a wholesale scale during the past 8 years.

This administration is correct. It has created many, many new jobs, but the jobs are all jobs which pay a little more than minimum wage, often no benefits. Many of them are part-time; steelworkers, people in manufacturing plants, people who are making \$16 to \$20 an hour, and they are now being asked to take jobs at \$4 and \$5 an

hour. They cannot take care of families on those kinds of jobs.

So, real jobs, the creation of jobs that pay decent wages, ought to be what the Government is all about. If my colleagues want to solve problems, if they want to have people who can take care of their own housing needs, if they want to have people who take care of their own educational needs, there is a direct correlation between income and education. People who have a decent income find ways to educate their children. They encourage their children to stay in school. They have a whole set of standards and ways in which they proceed which are different from people who do not have income or who have minimal income and are struggling to survive.

So, jobs are at the heart of it.

My colleagues know there is editorial talk about this welfare reform bill as being a great step forward because it has a great emphasis on jobs. I applaud their perception. And my colleagues know that, if that were correct, I would vote yes for the conference report tomorrow also. But it is a fraud. The jobs are really not there. The kind of educational programs to allow people to get jobs are not there. The child care programs of substance providing real care for children are not there. They have been cut in various ways from the bill.

Many of the special features that were in H.R. 1720 are gone. One of those features was providing for a minimal base pay for people throughout the United States. All of the States have a minimum, but they must provide for people who are indigent and on welfare. That is cut out of the numerous other positive features which have been cut out.

So we have being brought to us tomorrow a bill which many people, many of my colleagues that I call cynical optimists, are trying to sell on the basis of the fact that, if we get this bill, despite the fact that it has many flaws, despite the fact that there may be a little fraud and a little deception about the jobs and child care, if we get it, then at least we have moved the Federal Government into a situation where the Federal Government is making a commitment to a jobs program. I mean through the back door we have got what we have not been able to get in any other way.

We have a jobs program which we call welfare reform. That is the argument many of my colleagues are offering. If we can get the Federal Government to commit itself to providing jobs and eventually every person on welfare begins to have some kind of right to a job, are we not achieving what we really want when we call for a constitutional amendment to guarantee everybody a job opportunity? Or when the gentleman from California [Mr. Hawkins] and the gentleman

from Illinois [Mr. Hayes] are calling for a bill of rights for all workers, jobs with decent pay, with fringe benefits, are we not achieving that if we get the Federal Government on the right road through the back door with this welfare reform act? Well, the cynical optimists, my colleagues know, may prove to be right. I hope they do, but I am not a cynical optimist. I am an experienced realist, and I think what is really going to happen is, if we have this one great change in the Social Security Act over the last 150 years, everybody is going to settle down and say, "It's been done, this is it, it's accomplished," and to revise this monstrosity would be almost an impossibility in the next few years regardless of who the new administration is. Regardless. We will sell this as a jobs bill. We will say we solved the problem. We will sell it as a decent child care bill. We will say we have solved the problem, and we will not address it anymore. We will not deal with what is most basic, and that is that in our society we have a situation where large numbers of people who are primarily concentrated in our inner city communities are without jobs and without income.

Mr. Speaker, we have a deteriorating process there because, as has been pointed out by Dr. Wilson in a book called "The Real Disadvantage," more and more a group of people are being segregated in terms of economics.

We had a problem once before a short time ago with segregation on the basis of race. And we thought we were in deep trouble. We were. Segregation on the basis of race was a great evil, and we fought to get rid of segregation on the basis of race.

One of the byproducts of succeeding in eliminating a lot of the segregation on the basis of race has been that there is no longer the traditional ghetto in the inner city. The traditional ghetto was not a ghetto that had only one economic class of people because segregation of a class of people, of a certain race, blacks in Chicago, or blacks in New York, or blacks in Memphis, TN, they all lived in inner city communities where they could not break out because of segregation. There were doctors, lawyers, teachers. We had middle class communities that provided leadership, and that middle class community stabilized institutions. We had a whole dynamic going there that nobody foresaw the loss of. We did not foresee the loss of all this. This middle class without the constraint of segregation moved into the suburbs. Then the leadership left. The people who propped up the institutions left. All that is left is the churches. Churches are still functioning because on Sunday morning in any inner city ghetto communities big cars are seen lined up outside the churches

where the people have driven in from the suburbs. They did not change their churches. They stayed in the same churches, and those churches are still the one remaining institution in the ghetto, certainly in the black communities in the inner city, but in the meantime everything else is deteriorating. Very poor leadership, very little leadership, very poor basis for institutions, for the maintenance of institutions, primarily because the people left there are poor. They have to struggle to survive. They do not have the energy to go to PTA meetings. They do not have the energy to go to organizational meetings after they come home. In many cases they are in a situation where they can work more than 40 hours a week and come home with a paycheck that does not make ends meet. They cannot survive on what they make even though they have a job.

Mr. Speaker, here is the situation we are confronted with. The only way out of this situation is education. Our present society offers them no hope because there are no manufacturing, unskilled jobs being created. There was a time when everybody could expect to get work because large numbers of jobs did not require education. Those jobs are gone. They are vanished from the inner cities, and the only alternative now is to get an education. But there is a tremendous education deficit. There is a tremendous problem in terms of poor people who never had the opportunity to get an education.

The basis of the problem is very seldom discussed. There is a secret word that nobody wants to talk about in the black community, or the black leadership; certainly the white leadership does not want to talk about it, responsible public officials. Nobody wants to talk about the S word. The S word is slavery, s-l-a-v-e-r-y. This country had more than 250 years of slavery, 250 years of free labor. It helped to build the country. Any real economist would have to acknowledge that all that free labor made a great contribution in bringing us to a certain point. However, it is not talked about. Slavery was designed to obliterate humanity, humanness. In order to be efficient and effective, slavery had to destroy the humanity of people who were the slaves.

□ 2130

The slave owners attempted to do this. They attempted to wipe out the humanness. The family structures that were brought over from Africa were destroyed deliberately. Any semblance of culture was destroyed deliberately. They wanted to wipe out the humanness of the slaves. They did not succeed. They did not succeed in obliterating the humanity of the slaves, but they did do a great deal of

damage. A great deal of damage was done to a large number of people.

What we have today is a situation where within the black community, within the community of ex-slaves, although they do not like to talk about it, they do not like to use the word, but within the community you have large numbers of people who are damaged and have an educational deficit. They do not have the kind of supermen in large numbers.

You know, as a result of ending racial segregation in certain areas, large numbers of blacks have achieved a great deal. There are numerous examples to demonstrate that blacks can do anything anybody else can do. We can serve on corporate boards. We have people who have become millionaires and billionaires. All of that is very good. We have those examples of people who have achieved.

We can also see there is a large class, there are really two classes that blacks have evolved into—not evolved into, but economically, people who have made it, who can live anywhere they want to live, who have the education to get a great diversity of job opportunities, and they are surviving very well.

But statistics also show that large numbers, almost 65 to 70 percent of blacks have not made it; 60 to 75 percent of blacks are in poverty or just above the poverty line; 65 to 70 percent cannot overcome their conditions unless they have a great deal of help in getting the kind of education needed to operate in this society.

We have an education deficit as the result of those 250 years of slavery. Nothing was ever done to compensate for those 250 years of slavery. There was no Nuremberg Trial to declare anybody guilty. It might be just as well if there was not. There certainly was no Marshall plan to compensate for all the things that had been done over those 250 years, and that is the unfortunate thing. Nobody has ever attempted to compensate. Blacks alone have had to struggle to compensate and to get out of that kind of bond.

What we need is a massive program of education, massive amounts of compensatory education directed to the inner city communities to help people get the kind of education they need to catch up with 1988, to catch up with where the 21st century will take us.

This program could have been one small step in that direction if it really had a strong educational program, if it really provided the kind of opportunities for education that it started out with in H.R. 1720. We were serious about it. In H.R. 1720 we called for an education counselor for each person taken off welfare to guide that person's education.

We called for a program which would carry people into many jobs

that are available. We have shortages of teachers. We have shortages of child care workers in day care centers. You can take a person who is a graduate with an 8th grade education, take them through a high school equivalency program, put them to work as a child care assistant, move them from that high school equivalency program into a junior college program. It is a slow process, I know, because in New York City we had Head Start programs, we had programs in the public schools which took people who were paraprofessionals, who had no education of substance when they went in back in the early days of the antipoverty program and as a result of a career ladder program where they could work and go to school at the same time, have moved over a 10-year period where a person who had only an 8th grade education to a teacher, a person went the hard route, worked at the same time they went to school, but they had a job in a setting which allowed them and encouraged them, a setting which provided fringe benefits. They were not so tired when they got home at night that they could not study. They had a job situation which encouraged them to go to school and they moved from an 8th grade welfare recipient with an 8th grade education to a teacher in 10 years.

We know how to do it, but it takes that kind of subsidy. They had to have the jobs. They had to have the opportunities to go to school. They had to have the hope at the end of the program.

This kind of overcoming of the educational deficit in large hotel programs is needed for our inner city communities. We cannot separate out welfare from the provision of education. We cannot separate job programs from the provision of education.

If you want a real welfare reform bill, you have to confront the problem of 250 years of slavery. You have to confront the problem that nothing was done to compensate. There were no reparations paid to the slaves. We do not want reparations. We want programs which recognize the need and compensate with tremendous amounts of help, and that help should come at this point in the form of education.

Welfare reform which focuses only on giving the minimal amount of child care, the minimal amount of education, and the minimal amount of jobs, will only discourage people more and they will fail.

We have a number of studies which already tell us that what they call workfare, people working off their grants, is a great failure. We have had workfare programs. We have had professional studies of our workfare programs, and what they show is that the cost of workfare programs involves 16 hours of work a week in many cases

and they involve situations which are unreal. The cost of providing supervision, the cost of developing the programs, the cost of transporting people to where the jobs are, curiously they often are not where the people are, and on and on it goes. They are not worth what it costs in most cases. We have found that most of the workfare programs are not really successful, that they are not operating, they are not that productive.

Most people think, well, it is immoral to receive money from the Government and not work for it. We have seen in this 100th Congress where people who are in trouble, disadvantaged people, have received this year alone billions of dollars. The farmers who are suffering from a drought, 1 year of being disadvantaged, 1 year temporarily disadvantaged farmers, were given without much argument on this floor \$3.9 billion, and there was little argument on the floor when somebody got up and said that we ought to put a cap on this, and farmers whose gross income is \$2 million or more should not be eligible for the program—\$2 million. You can make up to \$2 million and still receive the benefits of the drought relief program.

Nobody at any time when we discussed the drought relief program said that those farmers who are making a \$1 million dollars gross or \$2 million gross had to give something back to the Government. Nobody said they had to open their farms and allow urban kids to come out to picnic. Nobody said they had to let the kids play with the cows or do something for the Government or something for the public.

The farmers were temporarily disadvantaged, and I certainly sympathize with all the small farmers who were temporarily disadvantaged, the drought was a major disaster, they had no reserves, small farmers should have been helped; but we help farmers who make up to \$2 million gross this year, and I think that is ridiculous. Nobody complained and nobody required that they work at all. Nobody required that they do anything for the Government to give it back.

We have bailed out our Federal Deposit Insurance Corporation. They bailed out the Continental Bank in Illinois; \$4 billion of FDIC money went into the Continental Bank of Illinois, under the supervision of the FDIC, which is a quasi-Federal agency, \$4 billion helped to bail out a bank that was failing because of incompetence and crookedness. There is no other way to put it. The crooks and the incompetents had made a mess to the tune of \$4 billion. That is not even discussed. Most Americans do not even know that \$4 billion was used to bail out a bank.

That is kind of what you might call socializing the banking system, socializing the banking industry.

We have spent even more and we have appropriated here on this floor for the Federal Savings and Loan Insurance Corporation—I hope I got the initials correctly—the FSLIC. We have spent money to bail out failing savings and loan associations. Taxpayers' money has been put in to back it up, and now they are predicting, Senator PROXMIRE predicts that we need another \$20 billion to bail out the Federal savings and loan associations.

Somewhere soon, probably not in this session, but early in the next session the taxpayers will be called upon to give \$20 billion to help bail out incompetence and crookedness in a deregulated banking system, the deregulated commercial banks, the deregulated savings and loan associations, and this is just the tip of the iceberg, we are told, and yet nobody has said that the people in those savings and loan associations or the people in these failed banks should work it off somehow, provide free income tax service with accountants in the banks or the banking executives should provide free advice to small businesses, or do anything. All of this goes on. We have great generosity for people with power, a great amount of generosity for people with power, but for people who are trying to survive, struggling to survive, this 100th Congress wants to stampede into a process which takes away their basic entitlements and replaces it with very fuzzy, very vague kinds of programs in child care, education, and jobs.

In closing, I just want to point out a few facts that we do know that will appear in this big conference report tomorrow. The entitlement is a capped entitlement. They say that people will all have access to education. They will have access to child care and the jobs will be there for all, but there is a cap on it. After we spend \$1.2 billion in 1995, when the program is fully operational, then that is it. Anybody who comes after that will not be able to be helped.

The WIN Program, the Work Incentive Program, which is a work program for welfare recipients, before Ronald Reagan's administration came into office in 1980, the Work Incentive Program was spending already \$1.2 billion providing this kind of job program for people on welfare. How is this progress? We were already doing a good job on a program which was much less vague and spread out than this one.

Another fact is that there will be less money for participants. The WIN Program was serving fewer people. Now we expect it to serve many more for the same amount of money.

By 1995, the States must serve one-third more people with this welfare

program than the CETA Program did, with only 14 percent of the money for the CETA Program. In other words, the CETA Program which existed when the Reagan administration came into power was serving one-third fewer people than this program will be required to serve when it reaches its peak in 1995, and yet this program will have 14 percent of the amount of money that the CETA Program had, a very tiny portion of the amount of money that CETA had.

It is a matter of smoke and mirrors, statistics which are unreal. It is not outright fraud, but a lot of wishful thinking. When this program is thoroughly analyzed, I assure you that both economists and social workers and everybody who is concerned will say that this welfare reform conference report that we will be voting on tomorrow is not a monumental change for good. It is a monumental step backwards, and it does not have to be. We could do a thorough job. We could do a decent job. We could do a program, develop a program which provides real education, provides decent child care and provides real jobs, if we were to take the time to do it and do it not under the hammer of the present administration. The present administration has a history of trampling poor people. It has a history of not caring about people who have no power.

The present administration made it quite clear that the most punitive provisions that are in the conference report had to be there, or they would not sign the bill.

I think we should not have gone forward. We should not have been under the hammer and under the threat of the Reagan administration. We should not let Ronald Reagan leave us a final legacy as having taken basic entitlements away from poor people, basic changes in the Social Security Act, the most basic in 51 years, and we have allowed it to happen, a democratically controlled Congress has allowed it to happen.

I think tomorrow will be a day of shame. I hope that my colleagues will stop and think and that certainly many of them will make a statement, if we cannot prevent this bill from passing, we will make a statement by standing up to vote against this monstrous act. This is an act which will not help people. This is an act which will degrade people.

□ 2145

This is an act which is not in keeping with the kind of generosity that the 100th Congress has shown everybody else. We have taken care of our bankers, we have taken care of our millionaire farmers, we have taken care of a lot of people who have power. We should show that we have some compassion and some wisdom

and some vision that we care about the people who are out there in the inner-city ghettos who are not exactly irrelevant. They are the youngest people in America in those inner-city communities. They are the people who made the greatest contribution to the war in Vietnam. We will find the statistics of who died in Vietnam, who had to go off to war, because they were drafted and they had no alternative. Larger numbers come from these communities in the inner city where the people who are the beneficiaries of the welfare program live. They are not insignificant Americans. They have made their contributions, and they are certainly the descendants of people who deserve more justice at the hands of our decisionmakers today than they have been able to get.

This is not a proud moment in the history of the 100th Congress. I hope that many of my colleagues will register their protest by voting no on the conference report.

THE MOST INCREDIBLE 50 YEARS IN THE HISTORY OF MANKIND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN of California. Mr. Speaker, I am sure the Speaker has made the same observation that I have over the years, that if one has an abiding interest in history and a hunger not to forget the past as the Spanish philosopher George Santayana said, "Those who forget the past are cursed to relive it." If one has this hunger and thirst, it can be a lonely place around here. One would think that with 435 men and women, all of them extremely smart, but it is very difficult to get the honor of serving a half million Americans in this Chamber, and one would think that there would be an abiding and intense interest in history that would be shared by all of us. Such is not the case.

Occasionally I am able to engage in historical discourse with some of the Members on the majority side of the aisle, two of them particularly because they were born in Eastern Europe, in Hungary, and so as children they were raised on a scope and a sweep of history that was absolutely astounding. On our side we have the gentleman from Georgia [Mr. GINGRICH], who is a Ph.D. in history, and has a hunger for it, but I find that in my trips as a Congressman to college campuses, particularly high school campuses, that is where I fulfill my need to try and learn everything I can about the history of not only all of mankind but of the recent past, so that I can contribute in some small way to not reliving the nightmares of this century.

If I were to put a title on my remarks of this evening it would simply be to say that the last 50 years has been the most incredible half century of history in all of the recorded time of man upon this small, delicate planet.

Tonight is the 50th anniversary of the signing of what was called in 1938 the German-Anglo Pact, but it really involved four countries. Three of the names still ring down through history, certainly two of them, Adolf Hitler and Benito Mussolini, who signed this pact together with a man that I do not think much is taught about in school. He was a good man. His name became synonymous with the words weakness and appeasement, and that was Neville Chamberlain, Lord Chamberlain, who was the immediate predecessor as Prime Minister of Great Britain, right before the great Lord Winston Churchill. There was a fourth signature not known to many people today, Edouard Daladier, the Prime Minister of the nation of France. These four people signed five points, a very small text, of what was then henceforth called the Hitler-Chamberlain Pact, or the "Peace in our Time Pact." It was signed in Munich on the night of September 29, 1939.

Most of our history books recall the 50th anniversary as September 30, because it was 50 years ago tomorrow morning that Lord Chamberlain had his press conference at the airport at Munich, and then repeated it at a small field, and I believe it was Henley, outside of London, and it is closed today, and at both places, in Munich on the airport ramp, and outside of London, Lord Chamberlain said, in his very stuffy manner, and he was a nice man, very stuffy, "I believe I have brought you peace in our time." The "peace in our time" lasted 11 months precisely to the day. It was on September 1, 1939, that Germany invaded Poland in a most cowardly way, even using German commandos dressed up in Polish uniforms to infiltrate into the Polish side, turn around come back at some German border units and kill fellow German soldiers to make the point they had the provocation to invade Poland.

On that 1st of this month, which is the 49th anniversary of that invasion of Poland, I was there with my 28-year-old son in Warsaw looking at a film in a small museum in the center of town, the civic center that is being beautifully restored in the medieval fashion, and we sat there looking at scratchy, shaky film of the Luftwaffe, which was not even supposed to exist in any great numbers then, just carpet-bombing the city of Warsaw. Some of the bomb strikes were very clear in industrial areas, residential areas and, of course, the Germans began on that day a torture of Warsaw that did not end until 6 years later.

In 1943 was the horror of the Jewish uprising in the Warsaw ghetto, where the Germans had put massive brick walls around an area of the city that was predominantly a Jewish neighborhood, and then crammed thousands and thousands of people into this area, raising the density up to a level where sanitation was a horror, disease was rampant, and that was in 1943. In 1944 the Germans made a stand inside Warsaw. The Polish underground rose up, fought Hitler, called for the aid of the Russian troops which were just across the river, and the Russians refused to come in. The Polish underground was decimated, and then the Russians came in and finished the job that the Germans had started, literally hardly leaving a stone upon stone in Warsaw.

What I would like to discuss tonight, in addition to the 50th anniversary tonight of the Hitler-Stalin Pact, is a stunning article in the Washington Post on the 18th of this month that was titled "Was Hitler Stalin's Fault?"

Before I read parts of this article, the subtitle is, "With Glasnost, the Greatest Myth of World War II Is Unraveling." Let me set the stage for this incredible article written on stories in Russian now that are probably the cause for the tension that has developed, causing Mr. Shevardnadze, their Foreign Minister, to be recalled just yesterday abruptly out of a meeting with the Presidential candidate, Gov. Michael Dukakis. He was called back to Moscow where all this weekend the Communist Party is having a secret, major closed meeting, and the Soviet watchers in the free world believe that it may be even as critical a subject as: Is Mr. Gorbachev going to survive beyond the 4 years next March that he has been in power? Will glasnost, the speaking out, survive? Will perestroika, restructuring, survive?

I was in Moscow, my son Mark and I, and we went to Poland, and we had come in through what I would call the back door. We flew to Beijing, and we took a beat-up twin-engine Russian airplane, an Antonov 24, up to Ulanbator, where I learned it is one word, not two as we learn in the United States atlases, and Ulanbator, there are two a's repeated twice, and in Ulanbator we got on the train and traveled north, where we joined up with the Trans-Siberian Railroad, which starts in Vladivostok on the Pacific Ocean, and traveled 4 days across south central Siberia through the city that we discuss so often on this floor, the city of Krasnoyarsk, where this major violation of the Anti-Ballistic Missile Treaty exists, where there is this phased-array radar that they continue to stonewall on or just flat-out lie about, and then we came into the Yaroslavl station in Moscow. That was my son's very first trip to a Communist

country, a stunning experience for him.

All across that vast experience in talking at various stops to the soldiers and other people, trying to bridge the language gap, coming up to speed with conversational Russian, finding out there were people who spoke some little bit of English, playing charades, and we could see that glasnost was a reality to an extent. People are speaking out, looking over their shoulders as they do it, and they are taking chances, but they feel that this is an opportunity under General Secretary Gorbachev that will never be there again.

In Moscow, I mentioned this in a special order the other night, I met with over 20 refuseniks, mostly Jewish refuseniks, some of them, a handful, Christians, and one poor, handsome young man, just a Russian who would rather live somewhere else, and he seemed to have suffered more than any of the others there, because why would a Russian want to leave Russia, so they immediately put somebody like that into an insane asylum and inject them with drugs and forcefeed them all sorts of psychotropic drugs. He seemed like a tough, courageous young man that someday will either see his country a true democracy or will find some way to emigrate and live a life as a Russian emigre, becoming a citizen in one of the free countries of the world.

At this meeting with all the refuseniks, I asked them was it true what I had read in the Washington Post in early August that a documentary was going to be shown over Soviet television which dominates the whole country through 11 time zones, and keep in mind we have 4, 11 time zones from Minsk to Vladivostok on the Pacific, and they said, "Yes, it was the most stunning experience of our lives." One of the gentlemen was in his seventies, He said, "The documentary told us, a nation of 287 million people, that our liberator of World War II, the commander of the Red army and the head of state, the man, Josef Stalin, that had led the resistance at Leningrad, Moscow, and Stalingrad," when they were all under siege and had begun the incredible rollback on a one-front war when they alone were standing against the land-might of the Nazi power with augmented troops from Hungary, Rumania, Italy, all fighting on the eastern front under Hitler's generals, that this man who had led what they called the great patriotic war, and they do not call it World War II, that is, this man was as evil as Adolf Hitler, and had actually killed more human beings than Hitler. I said, "This must be the topic of conversation at every line, every queue," and there are lines everywhere in the Soviet Union just like our great humorist, Will Rogers, laughed about on

his trip in the late 1920's or early 1930's. There is hardly anything to purchase, and what is there they still form in long queues. I said, "This must be the major discussion in this country in several decades." They said, "It is. We still cannot get over that Stalin has been compared to Adolf Hitler."

Stalin's statue, and there is only one left, still stands in the maintown square in Tbilisi, the capital of Georgia, the Georgian S.S.R., Georgian Soviet Socialist Republic. We saw the statue, my son and I, in that capital Ulanbator in Mongolia. They asked me not to call it Outer Mongolia, because they said that presupposes that there is an Inner Mongolia, and they do not like Inner Mongolia, which is in China, but in the People's Republic of Mongolia there is a statue of Stalin, because he held the line in Mongolia against being swallowed by the brand-new emerging, in 1949, Communist China, so there are still two statues of a killer whose crimes were as enormous as Hitler's, says the Communist government of the Soviet Union today.

Members can imagine having heard that this documentary was going to run, talking with Soviet citizens who saw it and were absolutely in utter stunned disbelief that they had physically heard and seen this, to find this article after I had returned 11 days, after I returned that said "Was Hitler Stalin's Fault," and this will give everyone an idea of the tension of the meeting of all the major Communist apparatchiks, the Communist figures in Moscow this weekend, why it is so critically important for the other body, the United States Senate, and this great legislative body, to follow carefully while we are in the emerging little period of euphoria and maybe new-day détente, the result of a Presidential race to be known in just over 40 days, why it is so important that we track this face-moving flow of events in the Soviet Union.

This 50 years that I am going to discuss briefly tonight, if we pick up any history book that tries to put the history of civilization and mankind into one book, hundreds of years sometime pass by with a paragraph, certainly each page covers a hundred years or more.

□ 2200

Unless the country is oriented to the country that is producing or publishing the history book, even civil wars only get four or five pages, like our Civil War. World War II in some history books I have seen for our young people, World War II is covered in two or three pages. Well, 50 years of history is a snap of the fingers in time and yet from that signing of the Hitler-Stalin Pact tonight, or rather the Chamberlain-Hitler Pact, the Anglo-German Pact, through August of next year when the Hitler-Stalin Pact was

signed through to this very day, the flow of history in those 50 years from the genocide of European Jewry to the genocide of Cambodia right up to this amazing fast flow of events in the Soviet Union today, this is the unquestioned, most amazing period of history that anyone could ever conceive of.

Now here is the article for the Post by S. Frederick Starr. "Since the day in 1939 when Stalin signed his notorious nonaggression pact with Hitler the Soviet people have been told it was merely a grand ploy to gain time to build up the Red army against Hitler." Now on the 49th anniversary of the agreement, Soviet readers have just learned for the first time that Stalin viewed the pact not as a ploy but as the start of Nazi-Soviet détente and that the failure left the Soviet homeland more vulnerable than ever.

These troubling issues were raised in an article published last month, in Komsomolskaya which means Pravda, for the young people, by suggesting that millions of Soviet citizens may have died in World War II as a result of Stalin's folly, the article challenged one of the most basic myths of Soviet life, the Soviet Government presents the war as the great formative event for which the Soviet mentality, the drama in which government and people came together to fend off Hitler, the great patriotic war, not World War II, they do not call it that. To make this credible, Stalin's pact with Hitler on the eve of the war had to be explained away. In fact, last month this year the official line held that one, the pact was a skillful adroit move by Stalin to gain time to prepare for Hitler's inevitable assault. And that the ploy succeeded, Hitler hoodwinked the Fuhrer and the Red Army gain 2 precious years in which to ready itself; point two, the pact was purely defensive, the fact that shortly afterwards the Soviet Union next evaded, captured, swallowed the independent states that were free for 19 years since World War I of Latvia, Estonia, Lithuania, parts of Western Ukraine, and White Russia, both of the countries that Roosevelt gave a separate vote in the United Nations although all other nations get single votes and the province of Romania and Finland had nothing to do with the pact. That is Russian history to list various, the territories were added to free elections, is the Soviet story or through actions arising for the Soviet's legitimate need to secure the borders.

Soviet spokesmen recently repeated the traditional lie in a series of articles directed against nationalists in the Baltic Republic. Remember it is not just the Soviet States of Azerbaidzhan and Soviet Armenia where we see demonstrations in the streets. Sometimes a crowd reaches a million people, as it did in the capital of Azerbaidzhan or

the capital of Baku is the capital of Azerbaidzhan, but in the capital of Armenia, a million people I have seen on the overhead imagery from satellite photography. It is incredible but up north people march by the thousands in Riga, in Lithuania, Tillinn. So just recently they have tried to put down the spirit of nationalism in the countries that do not speak Russian, although the language is forced on the children. At school they speak their languages, and when you visit there flying from Moscow you feel you have already left the oppressive feeling of a Communist state and you feel like you are arriving in a Western style democracy.

Now the former Ambassador to Germany, Valentin Fallin, now head of Novosti, press agency, led the chorus in an important prime time TV interview 4 days after our Republican Convention just last month, just a few weeks ago he led the prime time interview laying out all of this lying pattern.

The next morning Komsomolskaya exploded its bombshell. The author of a five-column article was V.M. Kulish, a military historian and a war veteran, citing hereby untapped materials from the state archives. Mr. Kulish demolished the party line just upheld by Fallin the night before on television. Kulish argued that the Hitler-Stalin pact was the genuine article, no mere ploy. Think of that, what we have always known, we were not the Soviets' first choice as an ally. At the beginning stages of World War II, the Russian Communist choice of an ally under Stalin was Hitler himself, the mad dog killer of 12 million people in concentration camps, and we were his second choice for expediency because he was losing the war to Hitler and we began a tremendous resupply through Alaska and through the Black Sea of the Soviet Union to defend itself against Hitler's invasion.

Why else would Stalin blithely have turned over to the Gestapo German Communists, refugees who were in prison in Moscow, turn them over to be slaughtered. They sought asylum. Why else let Nazi spies prowl around on the border in the guise of looking for graves of German soldiers killed in World War I? They were mapping a frontier for the Operation Barbarossa, and they had the maps. You could not rely on the Soviet map. It was just admitted recently, the Soviet Union had to make an embarrassing admission, they have been deliberately distorting all of the maps in the whole country for almost 70 years, moving rivers, moving cities, moving villages and completely obliterating some villages because the paranoia was in the 1930's so incredible under the murderer Stalin purges, they had spies on the brain and changed all the maps of the

country and have remained crippled by poor maps for half a century.

The historian, Mr. Kulish, noted if the pact were a ploy it failed. Far from gaining a respite for the Soviets, it assured Hitler's army a free hand in France which they conquered in June 1940 and enabled them to build up for 13 months and throw their full might against Russia with only England able to air power to counter any Nazi strength whatsoever.

Thus Stalin made himself the Russian campaign, a one-front effort with all of its bloody consequences.

The Komsomolskaya Pravda article also showed Stalin scheming against the Baltic Republics, against Poland, Kulish cites, for the first time in the Central Soviet Press. A month after I left, this is all hot breaking stuff, that the secret protocols that Molotov, Stalin's foreign minister, signed were amended to this treaty.

By these protocols, Hitler repaid Moscow for its hands-off policy as he ravaged Poland, by handing Stalin the three Baltic Republics, all in writing in secret protocols and other territories reaching from the Baltic Sea all the way to the Arctic. The deal included a big chunk of Poland, which Molotov contemptuously dismissed as "the mishapen runt" of a country from the Versailles Treaty that ended World War I. Hitler had worse things to say, calling it a bastard nation and using foul language when referring to Czechoslovakia. As if the accusations were not grave enough, Mr. Kulish concludes with the devastating charge that Stalin helped bring Hitler to power in the first place.

I wonder if this will be taught in high schools and colleges and graduate courses? For years, Hitler's main concern was not with fascism but with the German Social Democrats, former Communists who had split with Lenin and moved quickly and rapidly to the political center.

In the last year of the crumbling republic, there could have been an important bulwark against Hitler's rise, but Stalin ordered his German Communist allies inside Germany to concentrate their attacks on the former Communists now essentially democrats, liberals of the left middle, rather than to undermine Hitler.

None of this is going to come as any news to us in the West where it has been known for decades, or surprise the suffering people in the Baltic Republic, but for the official newspaper of the Communist youth organization to trumpet this is an absolute sensation. What political intrigues lie behind the revelation?

Keep this in mind, this is a September 18 article and as we stand here on the 50th anniversary of this other pact that preceded this one, the Chamberlain-Hitler Pact, we now have Commu-

nist leaders coming together in an almost panic situation in Moscow.

The trail leads back to Valentin Fallin, whose outspoken defense of the party line seems to have triggered this Kulish article. Long known as a liberal, he seems to have concluded that Gorbachev's reforms have gotten out of hand. The word "liberal" there could confuse you. Let us call Mr. Fallin an old line Communist or traditionalist, especially in the Baltic Republic in Poland in trying to reign in this nationalism, he has joined the traditionalists strongly felt in Moscow these days. This weekend, this clearly bothers the Gorbachev team. Someone at the top, Gorbachev or his henchman, Alexander Yakovlev, must have concluded that decisive action was called for. This piece by the historian Kulish is a major strike against the traditionalists and it hits the bull's eye.

The Pravda article is bound to have far-reaching effects. It challenges the mystic status of World War II as the great unifying event in Soviet history, and in effect transforms every Soviet war memorial monument, every Soviet war memorial into a monument in part to the victims of Stalinism. Just as important, for the first time, an official party organ has cast doubts on the legitimacy of Russian claims to territory gain in World War II. This is bound to fan nationalist sentiment in non-Russian republics of the Soviet Union.

My colleagues, Mr. Speaker, we may be seeing the beginning of the end of the Soviet Union with these 15 so-called republics held together by a police state with 66,000 police precincts spread over all of the republics. Whatever the political outcome, the Kulish article attests to a new readiness in Moscow to pull even the most horrifying skeletons from the national closet. No government easily admits to past error, let alone crimes. Look how long it took this House and the other body and the White House to finally resolve the pain suffered by the Americans of Japanese descent by putting them in holding camps in California and further West, and we did no such thing of Americans of Italian or German descent. This is true. It took us 47 years to rectify the hurts of 1941 and 1942. No government easily admits to past errors, let alone crimes, let alone crimes that have cost you millions in the lives of soldiers. Keep in mind that although Germany lost 3½ million soldiers in World War II, the Soviet Union lost 20 million people. Six million were men in armies, and I visited the camps, as I have said in this well several times this month, I visited the extermination camps in Poland and the beginning of the massive killing in Majdanek and Auschwitz involved Soviet prisoners. It was the

death of 700 Soviet prisoners in C-block 11 at Auschwitz where they worked out the poison gas cyclone B gas they used later to kill most of the 6 million Jews that suffered at the hands of the Nazi terror.

By opening up this sordid Hitler-Stalin affair to candid suggestion, Kulish and the backers initiated a process by which the Soviet Union can finally transcend it. I confess to you as I told some of my Soviet hosts in Moscow last month I would rather visit the Soviet Union than any nation on the face of the earth because I am fascinated in the course of their history; the suffering their people have undergone. The fact there are only two superpowers in the world together, each capable of not only destroying the other many times over, but even one, if we do not resolve our differences, able to virtually destroy civilization as we know it.

□ 2215

The Soviet Union is going through absolute spasms of internal tension because everything is coming unraveled in their concocted role in history. If I am back in the 101st Congress, I will do a series of special orders leading up to August 24, 1939, the signing of that Hitler/Stalin pact.

Now what led up to this pact, the 50th anniversary of which comes on this very night? Here is, from an encyclopedia, the entire context of the Munich Agreement, September 29, 1938.

Again, the world does not know until tomorrow morning. It is so short that I am going to put it into the RECORD and I will read highlights from these two pages.

Section 1 "Germany, the United Kingdom, France, and Italy, taking into consideration the agreement which has already been reached in principle for cession to Germany of the Sudeten German territory, have agreed on the following terms and conditions governing the said cession and the measures consequent thereon, and by this agreement they each hold themselves responsible for the steps necessary to secure its fulfillment." Then they list eight points. I will synthesize them. No. 1 is one sentence: The evacuation will begin on the 1st of October 1938. They are evacuating whole areas of the nation of Poland. Here is the sketch map annexed to the agreement signed at Munich. Where Czechoslovakia had very irregular borders formed mostly by the peaks of mountain ranges and rivers, this is as though they took a child's protractor, and just cut straight lines through the country at sharp angles and take chunk 1 out that was to be completed turned over to Germany on October 1 and 2, chunk 2 on October 2 and 3, chunk 3, the infamous Sudeten land as it was called in all the news reels 50

years ago. Chunk 4 over here on the middle/northern border of the country was to be taken over on October 6 and 7. But then as the other points go on to say, there were going to be plebiscites in every single part of Czechoslovakia where there three people who could speak German. No. 2 says "The United Kingdom, France, and Italy agree that the evacuation of the territory shall be completed by the 10th of October without any existing installations having been destroyed and that the Czechoslovakian government will be held responsible for carrying out this evacuation without damage to the said installations." In other words, you will participate in the destruction and chopping up of your country. And France and Great Britain are going to sign to make sure that you do this.

No. 3, "The condition governing the evacuation will be laid down in detail by an international commission composed of representatives of Germany, the United Kingdom, France, Italy, and Czechoslovakia." Czechoslovakia is ordered to participate in the Frankenstein cutting up of their country. No. 4, "The occupation by stages," will go through the situation I just described on the map.

No. 5, "The international commission referred to in paragraph 3 will determine the territories in which a plebiscite is to be held. These territories will be occupied by international bodies," which turned out to be German troops, "until the plebiscite has been completed. The same commission will fix the conditions in which the plebiscite is to be held, taking as a basis the conditions of the Saar plebiscite." That is where Hitler took back all the territories in the mineral-rich Saar Valley area. "The commission will also fix a date not later than the end of November, on which the plebiscite will be held." Total destruction of the country of Czechoslovakia.

No. 6, "The final determination of the frontiers will be carried out by the international commission." Now get this, "This commission will also be entitled to recommend to the four powers, Germany, the United Kingdom, France, and Italy in certain exceptional cases minor modifications in the strictly ethnographical determination of the zones which are to be transferred without plebiscite." That is without an election. Get that word "ethnographical," ethnicity. This was the beginning of Hitler's moves to start declaring people subhuman and eliminating whole classes and whole religious bodies of human beings; gypsies, Jews of Europe, 6 million of whom died within a few years. The concentration camps had already been running for years outside of Dachau the place near Austria and a few other cities. Some of the camps were already

open as of 5 years, some just a few months.

Then No. 7, "There will be a right of option into and out of the transferred territories, the option to be exercised within 6 months from the date of this agreement." That means if you are German and you wanted to move into what had been Czechoslovakian territory, if you were a Czech or a Slovak who wanted to move out, you probably went to prison.

Now No. 8, and get this, "The Czechoslovak Government," a free country since world War I "will within a period of 4 weeks from the date of this agreement release from their military and police forces any Sudeten Germans who may wish to be released," including bombers and terrorists, "and the Czechoslovak government will within the same period release Sudeten German prisoners who are serving terms of imprisonment for political offenses." That is it, folks, nothing else. First signature—they did not even go alphabetical—Adolf Hitler. Reich-Chancellor of the Third Reich then Neville Chamberlain with no "Lord" title there; Edouard Daladier of France and Benito Mussolini Munich, September 29, 1938.

Then comes an annex to the agreement "his majesty's government in the United Kingdom and the French Government have entered into the above agreement on the basis that they stand by the offer, contained in paragraph 6 of the Anglo-French proposals of the 19th of September, relating to an international guarantee of the new boundaries of the Czechoslovak state against unprovoked aggression. When the question of the Polish and Hungarian minorities in Czechoslovakia have been settled, Germany and Italy for their part will give a guarantee to Czechoslovakia." Now we know what they mean by "ethnographical." Then the four signatures again at Munich, September 29, 1938.

Then a "declaration" which says, "the heads of the governments of the four powers declare that the problems of the Polish and Hungarian minorities in Czechoslovakia if not settled within 3 months by agreement between the respective governments shall form the subject of another meeting of the heads of government of the four powers here present."

All of this, of course, fell apart. Then the same names, Adolf Hitler, Neville Chamberlain, Edouard Daladier, Benito Mussolini at Munich, same date.

Then we have a "supplementary declaration" which says, "all questions which may arise out of the transfer of the territories shall be considered as coming within the terms of reference to the international commission." That is the next one. Again the four signatures, same date.

Then "composition of the international commission," which says and this ladies and gentlemen and Mr. Speaker is the totality of the infamous German-Anglo pact, the Munich pact, the Hitler/Chamberlain pact. Again, "composition of the international commission: the four heads of government here present agree that the international commission provided for in the agreements signed by them today shall consist of", and get this, I have never seen this or heard of anything like this before, "the Secretary of State in the German foreign office," which is like our Secretary of State, George Shultz, "the British, French, and Italian ambassadors accredited in Berlin, and a representative to be nominated by the Government of Czechoslovakia." Now no matter how high or high important the assignment to Berlin, an ambassador in a capital is not equal to the Secretary of State, the foreign minister of a country. They actually called him the Secretary of State. They did not use the words foreign minister, they used the same term we used in this country. I did not know that any other country used that term. Secretary of State in a German foreign office plus three ambassadors accredited in Berlin. Now get this the last words of this infamous Munich agreement "a representative to be nominated by the Government of Czechoslovakia." Poor little Czechoslovakia was not even participating, they were supposed to send some traitor to participate in the destruction of their country.

And this evil that started tonight laid the ground work for this horror of what was to take place 50 years ago this coming August, the Hitler/Stalin pact that I just talked about.

Mr. Speaker, if glasnost is a real change in the Soviet Union or if it is simply just another case of deception designed to buy time for the next onslaught on democracy and free enterprise and human rights, then we must remember history or we are cursed to relive it. I am encouraged by glasnost. I am the most recent Congressman to see it. The first and only Congressman or senator to meet with the head of the whole Soviet prison system. All those concentration camps that are outside the woods where Stalin successfully murdered, starved to death, buried alive maybe as many or more people, according to the current Gorbachev government, as did Adolf Hitler. There are no tours as I saw tours of Russians going through Auschwitz or Majdanek, there are no tours of anybody going through those wooded camps, the Archipelago Island camps out through the Gulag, the torture areas of Siberia. Nobody is opening them up to the public. There were no stops where I could get off the trans-Siberian railroad and take a railroad north to those camps. Some of

the camps are not so far from the trans-Siberian railroad.

When are we going to open up to history the mass graves of Siberia so that Russian citizens can grieve for their dead and the German families who lost hundreds of thousands of prisoners—it is understood that they were the invading army—or the American citizens who disappeared in the Soviet Union in the thirties who died in some nameless spot shot to death or starved to death or died of disease, or froze to death trying to escape Siberia; when will that wonderful day be when a true democracy is in the Soviet Union and they say to the world, to forensic experts everywhere "help us to retrace what Gorbachev calls the blank pages of Soviet history," so that people can not only visit but so that it may never happen again, the death and extermination camps of Nazi Germany, but the death and extermination camps of Hitler's companion, Josef Stalin, the killer who may have killed more people than Adolf Hitler.

We have to watch carefully the withdrawal from Afghanistan. Any improvement in United States-Soviet relations, is it in the best interest of the United States of America? I believe we must exercise extreme caution in all of our responses to these incredible things that are happening in the Soviet Union at the end of this amazing period of history over the last central 50 years of this century.

Soviet leadership always institutes short-term domestic solutions and rapprochement with former adversaries when they are having grievous economic problems. And they are having incredible food shortages. I saw it with my own eyes. It is even worse in Romania.

But on that August 24 date of just last month, on the 49th anniversary of that treaty of so-called nonaggression between Nazi Germany and the Soviet Union, that agreement should be something that every one of us will study next year as we go through our defense budget for the defense authorization that we will be coming to, in an agreement for fiscal year 1989. Tomorrow is the end of the fiscal year, September 30. This historical date that celebrates when Mr. Chamberlain himself said, "peace in our time," let us be most sure that when we begin to not even keep our defense budget up with the small inflation rate that we do have, when we begin to take real cuts because of inflation, that we are not turning our back upon a Ronald Reagan defense rebuilding, rearmament that brought the Soviet Union to the table for the INF Treaty which we should know by now did not destroy one nuclear weapon, not one atomic bomb. Not one device was destroyed. Only the carriers that move around these deadly weapons of doom.

That would be like saying that dynamite that is transported to a school to blow up a school on the bus that you destroy the bus but you put the dynamite aside to be carried by some other means in the future.

Now that is an important debate that we have coming up tomorrow on the 50th anniversary of Neville Chamberlain, the master of appeasement with his great statement "peace in our time."

I hope as we begin to relive now the 50th year anniversaries of all the events leading up to Pearl Harbor—I do not know about the other Members, but this Member, God willing, will be at Pearl Harbor on the 50th anniversary, December 7, 1991. I will then go to the 50th anniversary of every major, or most, as many as I can, of the major American victories of World War II, even the island campaigns, the Solomon Islands, Tarawa, shortly thereafter. I will certainly be on the beaches of Normandy in 1994 and in December 1994 I intend to walk the forest around Bastogne, visit the site of Malmady, Belgium, where German SS soldiers machinegunned to death 108 American POW's, young kids, 18 and 19 years of age, raw recruits that had surrendered honorably to what they thought was a fellow nation with the same cultural standards, being slaughtered like animals.

□ 2230

This is an incredible beginning of 50-year anniversaries that we are going to go through for the next 6 years, and I hope that people in this Chamber, in this still dangerous world, will use all of these 50-year anniversaries to recall just a short period of history of horror that has taken place and the millions upon millions of people that have been murdered in World War II, in Korea, in Vietnam, the killing fields of Cambodia, and the slaughters that still go on in various corners of the world, a few in the name of fascism, but the overwhelming in the name of communism and in the name of what we saw in the deceit of that Hitler-Stalin pact and the betrayal of the sad pact of appeasement that was signed 50 years ago tonight.

Mr. Speaker, I yield back the balance of my time.

THE 50TH ANNIVERSARY OF THE MUNICH CONFERENCE, SEPTEMBER 29-30, 1938

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. KEMP] is recognized for 60 minutes.

Mr. KEMP. Mr. Speaker, in extended remarks yesterday I took special note of the fact that we were on the eve of the 50th anniversary of the momentous conference which took

place in Munich Germany on September 29, 1938.

At Munich, the leaders of two great democracies, Prime Minister Neville Chamberlain, of Great Britain, and Prime Minister Edouard Daladier, of France, met with two revolutionary dictators Nazi Germany's Adolf Hitler and Fascist Italy's Benito Mussolini.

As I noted yesterday, Munich marked a watershed in the well-intended but fundamentally flawed policies of democratic leaders who completely misunderstood and too long appeased the imperial ambitions of dictators who threatened the very existence of a democratic future.

The fate of Czechoslovakia and of Central Europe discussed and decided then has importance for us to this day. Indeed, what led to Munich, what happened there, and what followed continues to have extraordinary relevance in our contemporary world. Those tragic decisions and developments of a half century ago surely bear retelling and reconsideration.

I am convinced that we need to apply the lessons of Munich to a pre-eminent American task today—the protection and extension of freedom and democracy in a world where there are those who do not share our democratic values and would seek domination over those who do.

Yesterday I cited writings and insights of Winston Churchill, noting some of his most incisive insights about "The Gathering Storm" which led to Munich and to World War II in all their tragic implications. I also entered into the RECORD, an excerpt on Churchill's life during that Munich period taken from a book on Churchill's, and perhaps England's so-called Wilderness Years.

Today, I would like to insert into the RECORD a detailed chronology of the history surrounding the Munich events and the misguided appeasement policy which so greatly contributed to the outbreak of World War II, and then to draw some lessons from it. This chronology has been prepared by my staff from a wide variety of scholarly sources.

A CHRONOLOGY OF HOPES, APPEASEMENT AND THE MARCH OF AGGRESSION LEADING UP TO WORLD WAR II

Winston Churchill focussed on the following events in his book, *The Gathering Storm* and subtitled the book "How the English-speaking peoples through their unwisdom, carelessness and good nature allowed the wicked to rearm." Opposed to the Allied appeasement which spurred the dictators to war, Churchill told President Roosevelt that World War II should be called: "The Unnecessary War. There never was a war more easy to stop than that which just wrecked what was left of the world from the previous struggle."

1918 *Armistice Day* (Nov 11)—End of "The War to End All Wars".

1919 *Versailles Treaty* (June)—Germany to be largely disarmed, Rhineland occupied by Allied forces, heavy reparations, new bor-

ders and states, mandates for former German colonies, etc. Terms help foster some of grievances and weaknesses that contribute to causes of World War II. League of Nations established, but U.S. does not join.

1919 *German Workers Party* founded in Jan. in Munich; joined in Sep. by Hitler, who by July 1921 becomes its leader and changes its title to National Socialist German Workers Party—i.e. the National Socialists, or "Nazis."

1922 *Washington Naval Treaty* (Feb)—Terms: US/UK naval parity; Japan at 2/3 US/UK level; France and Italy at 1/2 Japanese level.

1922 *German-Soviet Treaty of Rapallo* Rapprochement. Terms include: no war indemnity, resumption of diplomatic relations; most favored nation trade. At same time, Soviet Union (Lenin) agrees to train German armor and air force officers in Soviet Union with their equipment in violation of Versailles Treaty. Training is continued by Stalin and not stopped until Hitler ends practice, preferring German self-reliance.

1922 *Mussolini's March on Rome; Fascists Seize Power in Italy* (Oct)—Move to eliminate opposition.

1923 *France and Belgium Occupy Ruhr* (Jan) to try to force German payment of reparations, which were severely hampered by rampant German inflation and economic problems.

1923 *Hitler Putsch Attempt* (Nov) with war-time leader Gen. Ludendorff unsuccessful in attempt to seize power for Nazis in Bavaria. Hitler on trial in 1924 and imprisoned for 9 months; writes "Mein Kampf" (My Battle) outlining militant future Nazi plans within Germany and abroad. Book and Hitler not taken too seriously, especially abroad.

1925 *Locarno Treaties* (Oct)—UK/Italy guarantee Franco/German border; but not borders of Germany's eastern neighbors.

1925 *Franco-Soviet Treaty*—obliges USSR to aid Czechoslovakia against attack pending similar French action.

1926 *German-Soviet Treaty of Berlin* extends Rapallo Treaty of 1922; includes promise of neutrality in case of attack by any third country.

1926 *Germany Joins League of Nations* (Sep)

1928 *Kellogg-Briand Pact* (August)—US, UK, France, Germany, Italy, and Japan agree to renounce aggressive war.

1930 *London Naval Treaty* (April)—Limitations on battleships, cruisers, destroyers and submarines. In Japan, Prime Minister Inukai is assassinated by militants because of his support for the Treaty.

1930 *German Elections* (Sep)—Nazis become second largest party with 20% of vote. Communists also do well.

1932 *German Presidential Elections* (Mar-Apr)—Hindenburg defeats Hitler. Nazi SA troops are banned after discovery of coup plans. Hitler denies knowledge and insists Nazis work within electoral system.

1933 *Hitler*, on Jan 30 called by President Hindenburg to become Chancellor of Germany, following series of political maneuvers since the November 1932 elections at which Nazi Party's share of vote had declined from 37% to 33% in Germany's last free election. Following Reichstag (Parliament) fire, Nazis soon move against left and conservative opposition parties via intimidation and "emergency" legislation.

1934 *Austria* (July) Nazi conspirators murder Chancellor Dollfuss but do not succeed in pro-Nazi coup.

1934 *Hitler* (Aug) becomes German "Fuehrer" upon death of Pres. Hindenburg; rapid consolidation of totalitarian dictatorship; Armed Forces swear personal oath to Hitler; stepped up German rearmament.

1934 *U.S. Diplomatic Recognition of Soviet Union*—Concern about Japanese expansionism. Soviets promise Communist restraint within US (pledge soon violated).

1935-1937 *UK: Baldwin Government*—appeasement, minimal rearmament; Churchill, Eden criticize.

1935 *German Nuremberg Decrees* (March)—Intensified persecution of Jews.

1935 *German Rearmament* (March) Hitler announces conscription; and establishment of air and submarine forces. This violates Versailles Treaty forbidding Ger. air and sub forces and limiting Ger. to 100,000-man army. Ger. soon has 600,000 man army. Response: At Stresa Conference UK/FR/Italy condemn breaches of Versailles Treaty, but there is little substance to this.

1935 *Anglo-German Naval Agreement* (June)—UK agreed to permit Germany 35% of UK levels and to build submarines. This violates Versailles Treaty and Stresa agreement. France is not consulted till late stage and her protests are ignored. At broader conference in London later in year, proposals for international naval limitations are not finally agreed.

1935 *U.S. Neutrality Act* (Apr)—prevents financial assistance to any country involved in a war and states no protections can be offered to U.S. citizens who enter a war zone.

1935 *Abyssinia (Ethiopia)* (Oct)—Italy crushes country by force. Response: Led by UK and France, League of Nations votes economic sanctions, which it later withdraws. With these half-hearted sanctions, oil supplies are left unhindered and Suez Canal is open to Italian troopships. France proposes partition and UK accepts Mussolini's conquest. Hitler and Mussolini observe ineffectiveness of League.

1936 *Rhineland* (March)—Hitler cancels Locarno Pact and, against advice of German generals, sends German troops into districts west of Rhine demilitarized by Versailles Treaty as reaffirmed at Locarno. Troops are under orders to withdraw if Allies resist. Response: Brief Allied protests, but no resistance. A triumph for Hitler, demonstrating French lack will to act.

1936 *Abyssinia War Ends* (May)—Italy annexes. Emperor Haile Selassie flees.

1936 *Sanctions Ended Against Italy* (July)

1936 *Germany*—(Aug)—Olympic Games in Berlin; 2 yr. Ger. conscription enacted.

1936 *Axis "Anti-Comintern" Pact*—Germany & Japan (Nov); Italy (Jan 1937); Spain (Mar 1939).

1937 *Hitler Formally Abrogates Versailles Treaty* (Jan)—In Reichstag speech abrogating all provisions, Hitler claims it is impossible for a great power to accept such restrictions.

1937 *Chamberlain Becomes British Prime Minister* (May)—Favors appeasement, slow rearmament.

1937 *U.S.: Roosevelt's Quarantine Speech* (Oct 4)—Neutrality is said to be impossible in face of epidemic of lawlessness. In London, U.S. Ambassador Joseph Kennedy and in Paris U.S. Ambassador William Bullitt emphasize Germany's military might and counsel Allied appeasement as does C. Lindbergh.

1937 *Hitler's Hossback Conference* (Nov)—At this secret conference with his senior generals he lays out plans for expansion to East by force, preceded by near-term moves

against Austria and Czechoslovakia. Concern among a number of the generals.

1937-8 *Winter Consultations Between U.K. & France*—Towards concessions on Hitler's Sudetenland claims against Czechoslovakia.

1938 *Eden Resigns as U.K. Foreign Minister* (Feb)—Opposed slow U.K. rearmament, appeasement to Ger and Italy and opposed Chamb. rejection of U.S. diplomatic approach from Roosevelt. Churchill continues to press for rapid rearmament, especially of air and air-defense forces.

1938 *Austria* (March)—German forces invade Austria; no fighting; "Anschluss" i.e. annexation with German Reich supported by over 99% in Austrian plebiscite in April. Hitler claims application of self-determination principle promoted by W. Wilson and enshrined in Versailles Treaty. *Response*: No Allied opposition.

1938 *U.K.-Italian Agreement* (Apr)—Churchill criticizes as "giving Italy in effect a free hand in Abyssinia and Spain in return for the imponderable value of Italian good will in Central Europe."

1938 *German Military Purges & Resistance to Hitler*—With forcible Nazification of German state & society and following Hitler's secret revelations to them of his future war aims (e.g. Hossback Conference Nov 1937 and March 1938 directive to plan attack on Czechoslovakia), increased opposition by senior German military leaders. In Feb, Defense Minister Gen. von Blomberg and Army head Gen. von Fritsch are fired; subsequently, Army chief Gen. Beck resigns. Major anti-Hitler coup/trial planned by senior anti-Nazi generals & For Min and Intelligence officials.

In contacts with British and French governments they warn of Hitler's specific war plans, and seek UK/FR change from appeasement to resistance to Hitler's demands and recognition of their own high risk resistance efforts on behalf of an anti-Nazi "other" Germany. Coup plans postponed by Chamberlain's trips/appeasement at Berchtesgarden, Godesberg and Munich. Future plots fall and most German Resistance figures are subsequently caught and executed by Nazis during the war.

1938 *U.K. and France on Defending Czechoslovakia* (Sep 10-12)—On September 10, the French Foreign Minister, Bonnet, asked the UK Ambassador in Paris, Sir Eric Phipps, whether if Hitler attacked Czechoslovakia and France mobilized "Will Britain march with us?" The diplomatic reply sent by the British Foreign Office on September 12 said: "... Her Majesty's Government... are unable to make precise statements of the character of their future action, or the time at which it would be taken, in circumstances that they cannot at present foresee."

1938 *Berchtesgarden Conference* (Chamberlain/Hitler) (Sep 16)—On visit to Hitler's "Eagle's Nest" in Bavaria, Chamberlain is inclined to accept Hitler's demands that Czechs cede large "Sudeten" areas, including Czech fortress line and 3 and 1/2 million German-speaking Czechs, to annexation by German Reich. Such annexation goes far beyond initial notion of "autonomy" for Sudeten areas within Czechoslovakia. UK Government approves Chamberlain's acceptance.

France (Prime Minister Eduard Daladier, joins Chamberlain in accepting Hitler's demands and in issuing UK/French ultimatum to Czech President (Benes) to yield without a fight, even though Czechs, UK and French together have far stronger defense forces combined than Germany and

Czechs, modern forces and fortresses are generally thought capable of putting up a very strong defense, especially if Germany faced threat from west.

1938 *U.K.: Report of Runciman Mission* (Sep 17)—Chamberlain's special emissary to Czechoslovakia returns recommending an appeasement policy for "the transfer of predominantly German districts to Germany."

1938 *French/UK Consultations in London* (Sep 18)—Prime Minister Daladier and Foreign Minister Bonnet, the latter a strong proponent of appeasement, agree with Chamberlain on ceding German speaking districts to Germany. Said Churchill: "The British and French... presented a front of two overripe melons crushed together; whereas what was needed was a gleam of steel. On one thing they were all agreed: there should be no consultation with the Czechs. These should be confronted with the decision of their guardians. The Babes in the Woods had no worse treatment."

On night of September 20/21 UK and French Ministers in Prague press Czech President, Benes, to accept the proposals "before producing a situation for which France and Britain could take no responsibility." Benes bows.

On Sept 21 Churchill issues statement saying: "The partition of Czechoslovakia under pressure from England and France amounts to the complete surrender of the western Democracies to the Nazi threat of force. Such a collapse will bring peace or security neither to England nor to France. On the contrary, it will place these two nations in an ever-weaker and more dangerous situation. . . . It is not only Czechoslovakia alone that is menaced, but also the freedom and the democracy of all nations. The belief that security can be obtained by throwing a small state to the wolves is a fatal delusion."

1938 *BAD Godesberg Conference* (Chamberlain/Hitler) (Sep 22-23)—Chamberlain flies to Germany for second time. Hitler adds new demands for further Czech areas to be ceded by October 1. Chamberlain and subsequently his cabinet, and the French reject the new demands. UK mobilizes her fleet, and the French partially mobilize. Hitler hesitates briefly until new Allied appeasement steps occur.

1938 *German Military Warns Hitler Against War* (Sep 26-29)—Senior General Staff Generals, Chief of Navy warn Hitler against war and against pressing the Allies. Point to Czech 1.5 million army and modern air and armored forces, border fortress line which is stronger than France's Maginot Line and as problem of largely undefended German western frontier with France. Anti-Hitler Resistance figures hope for Allied change from appeasement policy.

1938 *Munich Conference* (Sep 29)—Note: Czechoslovakian state was created by Versailles Conference. Some 3.5 of its 14 m people were German-speaking, living principally in Sudetenland border regions. Pro-Nazi agitation lead by Henlein's Sudeten German Party had pressed in turn for rights, autonomy and annexation (with German Reich). Following major disturbances, Henlein and hard core followers had fled to Germany.

Conference Circumstances: On Sep 28 Chamberlain writes Hitler saying "I feel certain you can get all essentials without war, and without delay. I am ready to come... myself at once to discuss arrangements..." At same time Chamberlain urges Mussolini's agreement. In response, Hitler immediately invites Chamberlain, Daladier

and Mussolini to Munich for conference on next day. Chamberlain flies to Munich on September 29; returns Sep 30.

The Czechs are not represented at this "great power" conference and subsequently, as Benes resigns, state they "register their protest against a decision in which they had no part." USSR also not present; they had earlier signalled support of Czech resistance if France would fight. The Soviets probably assumed France would not fight, and Soviets themselves were severely weakened militarily by Stalin's recent purge of 35,000 commanders.

Terms: All of Hitler's demands met as presented by Mussolini and drafted by Germans. Czechs to cede Sudeten areas to Reich beginning October 1 and to be completed in 10 days. UK/France "guarantee" remaining Czech borders (a pledge subsequently ignored). An International Commission is to determine final frontiers.

1938 *Anglo-German Declaration of Non-aggression* (Sep 30)—Document drafted by Chamberlain and co-signed by Hitler on morning of Sep 30 is shown by Chamberlain to public in London upon return as assuring "peace in our time." To skeptical colleagues Chamberlain says: "this time its different; this time he (Hitler) has made his promises to me," and "We are on a firm wicket. Hitler has promised me, and I believe him. We have made Europe safe."

Chamberlain hailed as peacemaker, as is Daladier in France. But First Lord of the Admiralty, Duff Cooper, resigns from Chamberlain cabinet in protest against short-sighted appeasement policy, and Churchill strongly opposes.

In Parliament, Winston Churchill expressed the Allies' shame, and appeasement's costs as follows:

"One pound was demanded at the pistol's point. When it was given, two pounds were demanded at the pistol's point. . . I believe the Czechs, left to themselves . . . would have been able to make better terms than they have got after all this tremendous perturbation. . . . All is over, silent, mournful, abandoned, broken, Czechoslovakia recedes into the darkness. . . I find unendurable the sense of our country falling into the power, into the orbit and influence of Nazi Germany, and of our existence becoming dependent upon their good will or pleasure. It is to prevent that that I have tried my best to urge the maintenance of every bulwark of defense. . . It has all been in vain. Every position has been abandoned on specious and plausible excuses. . . Our loyal, brave people . . . should know the truth. . . There has been gross neglect and deficiency in our defences . . . we have sustained a defeat without a war, . . . the foretaste of a bitter cup which will be proffered to us year by year unless, by a supreme recovery of moral health and martial vigor, we arise again and take our stand for freedom as in olden time."

U.S.: Roosevelt, buttressed by U.S. Ambassador Joseph Kennedy's strong pro-Chamberlain views, sends congratulatory telegram to Chamberlain. Subsequently, Roosevelt seeks to encourage Allied resistance as well as U.S. rearmament and military assistance for Allies.

1938 *Poland Demands and Seizes Tschen Area from Czechoslovakia* (Sept. 30).

1938 *Benes Resigns as Germans Move into Sudetenland* (Oct. 1)—Hach becomes Czechoslovakia's new president.

1938 *German-French Nonaggression Declaration* (Dec.)—Parallels German-UK Declaration sought by Chamberlain at Munich.

1939 *Chamberlain Still Dreams of Peaceful Golden Age* (March 10)—On March 10, on the eve of the German invasion of Czechoslovakia in contravention of the Munich Agreement, an optimistic Chamberlain summarised his hopes to the UK Home Secretary Sir Samuel Hoare the following:

"Suppose that political confidence can be restored in Europe . . . Suppose that the people of Europe will be able to free themselves from the nightmare that haunts them, and from an expenditure on armaments that beggars them. Could we not then devote the inventions and discoveries of our time to the creation of a Golden Age? Five men in Europe (Chamberlain, Hitler, Mussolini, Stalin & Diadler) if they worked with a singleness of purpose and a unity of action, might in an incredibly short space of time transform the whole history of the world. . . ."

1939 *Germany Invades Remainder of Czechoslovakia* (Mar. 16)—Czechs, having been abandoned by their Allies and pressed to yield their fortress defense lines at Munich, do not resist, although they have modern air and armored forces. Germany's western frontier with France is left virtually unprotected from far more numerous (100) French divisions. But France and UK do not act and do not apply their Munich Agreement obligation to guarantee remainder of Czech territory against attack. Harsh occupation regime begins.

1939 *Germany Seizes Memel Area From Lithuania* (Mar. 22)—Hitler's gains continue as area is incorporated into Reich, following German ultimatum to Lithuania.

1939 *Italy Invades Albania* (April)—Western powers do nothing to help Albania, but UK & France guarantee Greece and Rumania against German or Italian attack. Hitler rejects Roosevelt offer to mediate.

1939 *Hitler Revokes German-Polish Nonaggression Pact of 1934 and Anglo-German Naval Agreement of 1935* (April)

1939 *German-Italian "Pact of Steel"* (May 22)

1939 *UK Begins Conscription* (May 22)

1939 *Hitler/Stalin Pact* August 21-4)—While UK and French representatives are in Moscow to work on anti-Nazi stance, Stalin, with own defenses weak, frees Hitler's hand against Poland and against Western democracies.

Soviet-German Economic Agreement (Aug. 21)—Germany to receive vital raw materials including oil and iron ore. Germany to supply machined goods.

Soviet-German Nonaggression Treaty (Aug. 23-4)—Molotov and Ribbentrop toast "Socialist" dictatorships to be allied against common enemies—the "democratic capitalists"; secret agreement on division of Poland and zones of German and Soviet influences in Baltics (Ger. re Lithuania; USSR re Finland, Estonia & Latvia. Population transfers.

Note: Soviets remain in support of Hitler and his subsequent invasions to East and West until June 22, 1941 German invasion of Soviet Union.

1939 *Hitler-Chamberlain Exchanges* (Aug.)—Chamberlain warns UK prepared to help Poland with force. Hitler insists on German interest in Danzig and Corridor. (Nazi leader Forster, proclaimed head of state by Danzig Senate.)

1939 *German Invasion of Poland, Beginning of World War II* (Sept. 1)—Hitler demands City of Danzig's incorporation into Reich and German pathway to East Prussia across Polish Corridor. UK/FR state support of Poland if it resists Ger. attack Large

German forces (53 divisions) invade on September 1.

UK and France issue ultimatum demanding withdrawal and declare war on September 3. Chamberlain forms War Cabinet including anti-appeasement leaders Churchill as First Lord of the Admiralty and Anthony Eden as Secretary for the Dominions.

US declares neutrality (Sept. 5)

Brief entry of French patrols into German border area in West where Germans have only some 10 divisions. French troops withdraw Sept. 17. Beginning of Western "Sitzkrieg" i.e. "sitting war."

1939 *Soviet Invasion of Poland from East* (Sept. 17)—Soviets invade with two Army Groups. Poles, with only 35 battalions on their eastern frontier, are rapidly overwhelmed.

1939 *Germany Incorporates Western Poland into Reich* (Sept. 17)—

1939 *Soviet Moves in Baltics*

Soviet-Estonian Mutual Assistance Pact (Sept. 29)

Soviet-Latvian Mutual Assistance Pact (Oct. 5)

Soviet-Lithuanian Mutual Assistance Pact (Oct. 10)

These Pacts permit Soviet bases. Rather than providing protection, all three pacts are subsequently violated by forcible Soviet invasion/occupation/annexation.

1939 *Soviet Invasion of Finland* (Nov. 30)—Soviets attack with 26 divisions in 4 armies against outnumbered but strong Finnish resistance. By Moscow Agreement (Mar. 1940) Finland is forced to cede Karelian Isthmus and eastern Karelia, and to lease Hango. USSR receives Petsamo transit rights.

Response: Soviets reject League of Nations mediation and are expelled from League (Dec 14, 1939)

1940 *German-Soviet Economic Agreement* (Feb 11)—As part of Nazi-Soviet anti-democratic alliance, the agreement provides vital raw materials to Germany's war machine; circumvents UK's naval blockade.

1940 *German Invasion of Denmark* (Apr 9)—Which surrenders on same day without a struggle.

German Invasion of Norway (Apr 9)—Which capitulated on June 10 after UK troops sent to Narvik areas were forced to leave

German Invasion of Netherlands and Belgium (May 10)—Netherlands capitulate May 15, Belgium on May 28

UK: Churchill Becomes Prime Minister (May 10)—having earlier (Apr 3) been appointed chairman of UK's Ministerial Defense Committee. Anti-appeasement, pro-defense views fully vindicated, though at terrible price.

German Invasion of France (June 5)—Which capitulates on June 22. Some 335,000 UK and French forces are rescued from beaches at Dunkirk. France partitioned into occupied zone and an unoccupied zone (Vichy) nominally under Field Marshal Petain who becomes Vichy "head of state" on July 10.

1940 *Battle of Britain*—(Summer)

1941 *US: Lend-Lease Act* (March)—To provide military aid to Britain in exchange for rights to bases. President may provide war materials to any country whose defenses the President deems vital to the defense of the US and without requiring immediate payment. US neutrality less and less feasible with war at sea, etc.

1941 *German Invasion of Soviet Union* (June 22)—Germany betrays Hitler-Stalin Pact, Soviets change sides vis'a vis Germa-

ny, but are neutral to Japan. Enormous cost in Soviet lives and treasure.

1941 *Soviet-Japanese Nonaggression Pact*—Secures Japan's rear for expansion south (occupation of French Indo-China in July) and east:

Japanese Attack on Pearl Harbor (Dec 7)—U.S. Declares War on Japan (Dec 8)

Germany and Italy Declare War on US (Dec 11)

SOME INSIGHTS FROM MUNICH

There are many lessons this chronology of tragic misunderstandings, decisions and events carries forward to us today. I would mention just a few at this point, leaving others to be drawn by other Americans who care about our future as a free people.

1. Indifference to evil is evil (E. Wiesel).

Neutrality does not work.

What Elie Wiesel has said about the Holocaust applies to other aspects as well of a free people's encounter with fundamental evil. The leaders of the democracies failed to recognize or understand the revolutionary nature of the totalitarian dictators they faced. Accustomed to governments which rule by consent, constitutional law and basic freedoms, and working with allies who generally shared basic values, they simply would not or could not understand the unconstrained ambitions and drive for power, both domestic and international, of the militant adversaries they were facing. Nuremberg laws, crushing of political and religious resistance, broken promises and treaties, unwarranted arms expansion, and invasions—all were too long ignored or wished away, even as the evil increased.

Particularly in their person-to-person summit meetings, the democracies' leaders, proved too ready to forgive and forget broken justice and broken treaties and to listen to the "last" demand, the "reasonable" appeal or the "new" language of unprincipled dictators. They signed on to new agreements while old ones were broken and put their faith in the latest words of a promised reformation. Their illusions brought shame and catastrophe to the people who had relied on their leadership and to all mankind.

Regrettably, such illusions and temptations have not eluded us to this day and must be avoided if we are to remain free and secure in an honorable peace.

2. Weakness and appeasement invite aggression.

Hitler and Mussolini, as later Tojo and Stalin, and other dictators, consistently exploited the democracies' weakness, first in military power and then in will power, to push to ever new demands and new expansions of their power. The democracies failure to acknowledge the facts about the growing threats and to provide for appropriate defense budgets, modern arms well defended pro-democratic alliances—like the illusions about unilateral arms restraints, ineffective international organizations and unenforceable arms control conventions—proved exceedingly costly.

Chamberlain's anger with Churchill, Eden and others for pointing out the facts about weak defenses and weak diplomacy in the face of aggressive adversaries proved dangerously misplaced. Individually even, and certainly when combined, France and England, and Czechoslovakia, should have assured adequate military deterrent power and a confident diplomacy and could have built on that strength with telling effect. Instead of assuring peace through strength—

military, economic and moral—they chose to appease and thereby brought far greater dangers with each surrender.

Is not this, too, a lesson with highly contemporary applications?

3. *Keeping trust with allies is essential to honour, and peace without honour is not peace nor does it bring security. Peace without honour destroys the chance for a true peace based on democracy within and among nations linked by just principles.*

Great powers are too often tempted to sacrifice smaller nations, including smaller allies, for what they perceive to be their own larger national interests. The Western democracies negotiated on the fate of smaller allies while at important stages excluding them from the negotiating table—an unworthy act which too often still plagues us to this very day in Central America, Africa and Asia. The surrender of allies in battle or at the negotiating table brings not peace or security, but aggression, terror and dishonour.

Failing to honor alliance commitments and defending those who resist tyranny has wide-reaching implications. It discourages democratic allies and democratic resistance forces everywhere. It feeds the hunger for revolutionary dictators for dominations, both at home and abroad. Not only Czechoslovakia, but a host of smaller countries were to be attacked, and finally France and England themselves. And within Germany the democracies' appeasement tragically undercut the resistance efforts, including plans of the German Resistance generals and officials who opposed Nazism and Hitler and who wanted to bring Hitler to trial and create a democratic and peaceful Germany. Munich ended the best chance for such a change, which would have ended Nazi terror within Germany and abroad and prevented the war that was to follow with all its horrors.

Are there not major lessons for us in such insights today?

THE WORLD COURT TESTIMONY OF EDGAR CHAMORRO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I will not use my full time, but I wanted to take this time to address a question that is persistently being pursued by some of my colleagues in this body, and that is the question of the involvement of the Central Intelligence Agency and the activities in the country of Nicaragua and, to that point, the question of what has and has not been put on the public record.

I would like to submit for the RECORD the testimony before the World Court of Edgar Chamorro. Many of us in this body know Edgar Chamorro. He has been here and talked to virtually hundreds of Members of Congress over the years. He is 54 years of age. He was born in Grenada, Nicaragua, to a very prominent conservative party family. At the age of 19 he joined the Jesuit order and later entered the priesthood. Chamorro studied at Marquette and Harvard Universities through an exchange program developed under the auspices

of John F. Kennedy and through his inspired Alliance for Progress. In Nicaragua Dr. Chamorro served as dean of the School of Humanities at Managua's University of Central America.

In 1977, after a second career in advertising and public relations, he was appointed to Nicaragua's Mission to the United Nations. Chamorro left Nicaragua in 1979, disturbed by the increasingly brutal acts of the Somoza government, such as the bombing of residential neighborhoods, and what he perceived to be the radical excesses of the Sandinistas, who came to power in July of that year.

His testimony is, I think, important because he participated in the revolution. He tried to work with the Nicaraguan Government after the revolution, July 19, 1979. He had serious disagreements with the Sandinistas in the government. He left. He joined the Nicaraguan Democratic Union.

In fact, he was one of, I believe, the principal founders, lived in exile, and this is the time that the Central Intelligence Agency, our Central Intelligence Agency, was beginning to believe, if you will, the Argentinians in their war against the existing Government of Nicaragua.

Mr. Chamorro lays out in a very comprehensive, believable way how the Central Intelligence Agency involved themselves, not only in overthrowing the Government of Nicaragua, but inviting officials, journalists of Honduras and Costa Rica in total disregard for the institutions of democracy in those countries, in addition to Nicaragua itself.

Let me, if I could, address some of his assertions in his testimony, and I am going to skip to page four of his testimony and read from the section entitled "The Buying of Influence." Mr. Chamorro says:

At the end of January, 1983 I was instructed to relocate to Tegucigalpa, Honduras to establish and manage the FDN's communications office. The CIA station in Tegucigalpa, which at that time included about twenty agents working directly with the FDN, gave me money, in cash, to hire several writers, reporters and technicians to prepare a monthly bulletin called "Comandos," to run a clandestine radio station, and to write press releases.

I also received money from the CIA to bribe Honduran journalists and broadcasters to write and speak favorably about the FDN, that is the Nicaraguan Contra movement, and to attack the government of Nicaragua and call for its overthrow. Approximately fifteen Honduran journalists and broadcasters were on the CIA's payroll, and our influence was thereby extended to every major Honduran newspaper, radio and television station. I learned from my CIA colleagues that the same tactic was employed in Costa Rica in an effort to turn the news media of that country against the Nicaraguan government.

Most of the CIA operatives who worked with us in Honduras were military trainers and advisers. Our troops were trained in guerrilla warfare, sabotage, demolitions, and in the use of a variety of weapons. We were also trained in field communications, and

the CIA taught us how to use sophisticated codes that the Nicaraguan government forces would not be able to decipher. This was critical to our military operations.

Even more critical to our military activities was the intelligence that the CIA provided to us. The CIA, working with United States military personnel, operated electronic interception stations in Honduras for the purpose of monitoring radio and telephonic communications among Nicaraguan military units. This intelligence was invaluable to us. Without it our forces would not have been able to operate with any degree of effectiveness in Nicaragua.

The United States government also made it possible for us to resupply our troops inside Nicaragua, thus permitting them to remain longer in the country. Under cover of military maneuvers in Honduras during 1983, United States armed forces personnel constructed airstrips that, after the CIA provided us with airplanes, were instrumental in resupplying our troops under the cover of military maneuvers.

In 1983, the CIA instructed us not to destroy farms or crops because that would be politically counterproductive. In 1984, however, we were instructed to destroy export crops especially coffee and tobacco, and to attack farms and cooperatives. Accordingly, we changed our tactics.

In July 1983 we were visited in Tegucigalpa by Duane Clarridge, the CIA official in charge of the Agency's military and paramilitary activities in Nicaragua. At the time we were introduced to Clarridge as "Dewey Maroni."

It goes on to speak about:

In September 1983, the CIA blew up the pipeline, just as Clarridge had advised us it would.

He is talking here about the oil pipeline off of Nicaragua's Pacific coast, the mining of the harbors. The actual operatives were agency employees of Hispanic descent referred to within the agency as unilaterally Latino assets or UCLA's. These UCLA's were specifically trained underwater demolition experts who were dispatched from a CIA mother ship.

In his testimony that has been made public before the World Court Chamorro goes on to outline specifically the agency's role in mining the harbors.

In May 1984 in a section called "The Selling of Congress," the United States Congress voted not to provide more assistance to the CIA for military and paramilitary activities against Nicaragua. Many of us became worried about receiving continued support from the United States government.

Around this time we were visited by Ronald F. Lehman II, a Special Assistant to the President of the United States, who was serving on the National Security Council. Mr. Lehman assured us that President Reagan remained committed to removing the Sandinistas from power. He told us that President Reagan was unable at that time to publicly express the full extent of his commitment to us because of the upcoming presidential elections in the United States. But, Mr. Lehman told us, as soon as the elections were over, President Reagan would publicly endorse our efforts to remove the Sandinistas and see to it that we received all the support that was necessary for that purpose. We received a similar assurance from

Lt. Col. Oliver North, another official of the National Security Council.

Mr. Chamorro goes on in his testimony before the World Court and states—

These officials and the CIA had not abandoned hope that the Congress could be persuaded to resume funding our activities. Our CIA colleagues enlisted us in an effort to lobby the Congress, attend meetings, and basically these are my words, do the things that were necessary to bring about resumption of aid.

Mr. Chamorro then outlines in great detail a consistent pattern of Contra atrocities. He talks about a manual entitled "Psychological Operations in Guerrilla Warfare." It talks about raids, kidnappings, tortures, mutilations, that I will not go into in any great detail this evening, but I commend this reading to my colleagues because I think it states so very, very clearly what many of us have been suggesting for so very, very long, and that is that while the administration on the one hand was putting up a facade of peace, holding out an olive branch for peace, it was running a secret operation through Colonel North, Admiral Poindexter, and others, trying to overthrow the Government and scuttle any efforts on the part of the Contadora countries, and eventually Costa Rico President Arias in putting together a successful peace proposal for Central America.

This is important testimony. It has probably been overlooked too long by us, and I would beseech my colleagues to look at it carefully because it does, in fact, lay out the plan of this administration to disrupt the peace process and to really set back the goals in which we are all trying to strive for here, peace and democracy in Central America.

Mr. Speaker, at this point I would yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CALLAHAN (at the request of Mr. MICHEL), for today until 12 noon, on account of a death in the family.

Mr. CLEMENT (at the request of Mr. FOLEY), for today before 11:45 a.m., on account of official business.

Mrs. VUCANOVICH (at the request of Mr. MICHEL), for today, until 4 p.m., on account of official business as congressional observer at space launch.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. VUCANOVICH) to revise and extend their remarks and include extraneous material:)

Mr. CALLAHAN, for 5 minutes, today.
Mr. MILLER of Washington, for 5 minutes, today.

Mr. KEMP, for 60 minutes, today.
Mr. TAUKE, for 5 minutes, today.
Mr. PACKARD, for 5 minutes, today.
Mrs. BENTLEY, for 60 minutes, on September 30 and 60 minutes on October 3, 4, 5, and 6.

(The following Members (at the request of Mr. HOYER) to revise and extend their remarks and include extraneous material:)

Mr. GLICKMAN, for 5 minutes, today.
Mr. CROCKETT, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. PRICE, for 60 minutes, on October 4.

Mr. PANETTA, for 5 minutes, today.
(The following Member at his own request, to revise and extend his remarks and include *** BAD MAG TAPE *** extraneous material:)

Mr. OWENS of New York, for 60 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. VUCANOVICH) to revise and extend their remarks and include extraneous material:)

Mr. RITTER.
Mr. KEMP.
Mr. SOLOMON.
Mr. KYL.
Mr. MARLENEE.
Mr. ROGERS.
Mr. HUNTER.
Mr. JEFFORDS in two instances.
Mr. McEWEN.
Mr. GREEN.
Mr. LEACH of Iowa.
Mr. RHODES.
Mr. BEREUTER.
Mr. STUMP.
Mrs. JOHNSON of Connecticut.
Mr. DORNAN of California in two instances.

Mr. LAGOMARSINO.
Mr. SCHUETTE.
Mr. PURSELL.

(The following Members (at the request of Mr. HOYER) and to include extraneous matter:)

Mr. MAZZOLI.
Mr. COLEMAN of Texas.
Mr. STARK in four instances.
Mr. TRAFICANT.
Mr. SHARP.
Mrs. SCHROEDER.
Mr. PEPPER.
Mr. HOYER in two instances.
Mr. DYMALLY.
Mr. STUDDS.
Ms. OAKAR.
Mr. FEIGHAN.
Mr. CLAY in two instances.
Mrs. BYRON.
Mr. KANJORSKI.
Mr. BENNETT.
Mr. WILLIAMS.

Mr. FLORIO.
Mr. HARRIS.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4419. An act to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974;

H.R. 4481. An act to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes;

H.R. 4782. An act making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1989, and for other purposes;

H.R. 4794. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1989, and for other purposes; and

H.J. Res. 665. Joint resolution authorizing the hand enrollment of appropriations bills for fiscal year 1989 and authorizing the subsequent, post-enactment preparation of printed enrollments of those bills.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and a joint resolution of the Senate of the following titles:

S. 1259. An act to direct the Secretary of the Interior to permit access across certain Federal lands in the State of Arkansas, and for other purposes, and

S. Res. 317. Joint resolution commemorating the bicentennial of the French Revolution and the Declaration of the Rights of Man and of the Citizen.

ADJOURNMENT

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Friday, September 30, 1988, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4390. A letter from the Chairman, Securities and Exchange Commission, transmitting a draft of proposed legislation to amend the Federal securities laws in order to provide additional enforcement remedies

for violations of those laws; to the Committee on Energy and Commerce.

4391. A letter from the Deputy Associate Director for Collection and Disbursements, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

4392. A letter from the Comptroller General, General Accounting Office, transmitting a report entitled, "Nuclear Waste: Fourth Annual Report on DOE's Nuclear Waste Program" (GAO/RCED-88-131), pursuant to 42 U.S.C. 1022(d); jointly, to the Committees on Government Operations, Energy and Commerce, and Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4140. A bill to require an Office of Investigations within the Nuclear Regulatory Commission (Rept. 100-878, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2848. A bill to amend title 17, United States Code, relating to copyrights, to provide for the interim statutory licensing of the secondary transmission by satellite carriers of superstations for private viewing by earth station owners; with amendments (Rept. 100-887, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H.R. 4982. A bill to amend the Federal Food, Drug, and Cosmetic Act to authorize abbreviated new animal drug applications and to amend title 35, United States Code, to authorize the extension of the patents for animal drug products; with an amendment (Rept. 100-972, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONIOR: Committee on Rules. House Resolution 556. Resolution waiving certain points of order against the conference report on H.R. 1720 and against the consideration of such conference report (Rept. 100-1003). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 557. Resolution providing for the consideration of S. 2749, an act to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. 100-1004). Referred to the House Calendar.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4883. A bill to amend the Federal Water Pollution Control Act to include Massachusetts Bay, Massachusetts, in the National Estuary Program; with amendments (Rept. 100-1005, Pt. 1). Ordered to be printed.

Mr. ANDERSON: Committee on Public Works and Transportation. H.R. 5186. A bill to designate the Federal Building and United States Courthouse at 109 South Highland, Jackson, Tennessee, as the "Ed Jones Federal Building"; with amendments

(Rept. 100-1006). Referred to the House Calendar.

Mr. ANDERSON: Committee on Public Works and Transportation. S. 1476. An act to designate the Federal Record Center at 9700 Page Boulevard, Overland, Missouri, as the "SSG Charles F. Prevedel Building"; with amendments (Rept. 100-1007). Referred to the House Calendar.

Mr. ANDERSON: Committee on Public Works and Transportation. S. 2496. An act to provide for the leasing of certain real property to the American National Red Cross, District of Columbia Chapter, for the construction and maintenance of certain buildings and improvements. (Rept. 100-1008). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON: Committee on Public Works and Transportation. H.R. 5321. A bill to amend the Motor Carrier Safety Act of 1984 to eliminate application of the commercial zone exemption to commercial motor vehicle safety regulations, and for other purposes; with an amendment (Rept. 100-1009). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIXON: Committee of conference. Conference report on H.R. 4776 (Rept. 100-1010). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL (by request):
H.R. 5420. A bill to authorize the lease of a specified naval repair ship to the Government of Pakistan; to the Committee on Foreign Affairs.

By Mr. JONES of North Carolina (for himself, Mr. LOWRY of Washington, and Mr. STUDS):

H.R. 5421. A bill to provide for development of a National Global Change Research Plan to coordinate oceanographic, atmospheric, terrestrial, and cryospheric research programs, and to establish the Council on Global Environmental Policy; jointly, to the Committees on Science, Space, and Technology, Merchant Marine and Fisheries, and Interior and Insular Affairs.

By Mr. MURTHA (for himself, Mr. GAYDOS, Mr. REGULA, Mr. RITTER, Mr. VISCLOSKEY, Mr. ERDREICH, Mr. DINGELL, Mr. EVANS, Mr. KOLTER, Mr. KOSTMAYER, Mr. LIPINSKI, Mr. MACKEY, Mr. MURPHY, Mr. NATCHER, Mr. NOWAK, Mr. PEASE, Mr. RAHALL, Mr. SHUSTER, Mr. WALGREN, Mr. WILSON, Mr. YATRON, Mr. CAMPBELL, Mr. DONALD E. LUKENS, Mr. CARDIN, Mr. FOGLIETTA, Mr. COSTELLO, Mr. NICHOLS, Mr. COLEMAN of Missouri, Mr. APPELGATE, Mr. HARRIS, Mr. MILLER of Ohio, Mr. CLINGER, Mr. OBERSTAR, Mr. TRAFICANT, Mr. SCHULZE, Mr. MONTGOMERY, Mr. DAVIS of Illinois, Mrs. BENTLEY, Mr. MOLLOHAN, Mr. MCCLOSKEY, Mr. GEKAS, Mr. KANJORSKI, Mr. BEVILL, Mr. CONYERS, Mr. SMITH of New Jersey, Ms. OAKAR, Mr. COYNE, Mr. NIELSON of Utah, Mr. MCDADE, Mr. RIDGE, Mr. SAVAGE, Mr. MANTON, Mr. JONTZ, Mr. CLAY, Mr. CALLAHAN, Mr. FEIGHAN, Mr. DAVIS of Michigan, Mr. FORD of Michigan, Mr. COUGHLIN, Mr. GUARINI, and Mr. TOWNS):

H.R. 5422. A bill to extend the Steel Import Stabilization Act for an additional 5 years; to the Committee on Ways and Means.

By Mr. RICHARDSON:

H.R. 5423. A bill to authorize continued storage of water at Abiquiu Dam in New Mexico; to the Committee on Public Works and Transportation.

By Mr. SHARP:

H.R. 5424. A bill to amend the Energy Policy and Conservation Act to increase the efficiency and effectiveness of State energy conservation programs conducted under such act, and for other purposes; jointly, to the Committees on Energy and Commerce and Science, Space and Technology.

By Mr. GONZALEZ:

H.J. Res. 668. Joint resolution to reduce the amount of manmade material in space; jointly, to the Committees on Science, Space and Technology and Foreign Affairs.

By Mr. DYMALLY (for himself and Mr. DONALD E. LUKENS):

H.J. Res. 669. Joint resolution to designate October 14, 1988, as "National Day of Remembrance for Political Prisoners in Iran"; to the Committee on Post Office and Civil Service.

By Mrs. BYRON:

H. Con. Res. 379. Concurrent resolution expressing the sense of the Congress concerning the current fraternization policies of the Armed Forces of the United States; to the Committee on Armed Services.

By Mrs. JOHNSON of Connecticut (for herself, Mr. OBERSTAR, Mrs. BOXER, Mr. MADIGAN, Mr. HASTERT, Mr. STANGELAND, Mr. LIGHTFOOT, and Mr. CRAIG):

H. Con. Res. 380. Concurrent resolution expressing the sense of Congress regarding reductions in payments to hospitals under part A of the Medicare Program; to the Committee on Ways and Means.

By Mr. PANETTA (for himself, Mr. FOLEY, Mr. MICHEL, Mr. COELHO, Mr. ANNUNZIO, Mr. FRENZEL, Mr. HAWKINS, Mrs. SCHROEDER, Mrs. MARTIN of Illinois, Mr. ROBERTS, Mr. BARTLETT, Mr. ECKART, and Mr. DURBIN):

H. Res. 558. Resolution providing for fair employment practices in the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

Mr. KENNEDY introduced a bill (H.R. 5425) for the relief of Wen-Lan Pao Hsi; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 2116: Mr. CHAPMAN.
H.R. 2854: Mr. KOLBE.
H.R. 3241: Mr. CARR.
H.R. 3515: Mr. LENT and Miss SCHNEIDER.
H.R. 3889: Mr. MFUME and Mr. CARR.
H.R. 4049: Mr. JACOBS and Mr. DIOGUARDI.
H.R. 4140: Mr. SLATTERY.
H.R. 4250: Mrs. PATTERSON.
H.R. 4396: Mr. MILLER of Washington.
H.R. 4924: Ms. KAPTUR and Mr. NEAL.

H.R. 4987: Mr. TORRICELLI.
H.R. 4992: Mrs. JOHNSON of Connecticut, Mr. LOWRY of Washington, and Mr. MAVEROULES.

H.R. 5033: Mr. FAUNTROY.
H.R. 5043: Mr. HUGHES and Mr. SMITH of Texas.

H.R. 5154: Mr. GOODLING and Mr. HOUGHTON.

H.R. 5278: Mr. FASCELL.
H.R. 5281: Mr. BENNETT, Mr. PEPPER, Mr. FASCELL, Mr. GIBBONS, Mr. CHAPPELL, Mr. YOUNG of Florida, Mr. LEHMAN of Florida, Mr. NELSON of Florida, Mr. HUTTO, Mr. MICA, Mr. SHAW, Mr. MCCOLLUM, Mr. MACKAY, Mr. LEWIS of Florida, Mr. MACK, Mr. BILIRAKIS, Mr. SMITH of Florida, and Mr. GRANT.

H.R. 5293: Mr. McCANDLESS, Mrs. JOHNSON of Connecticut, Mr. BOEHLERT, Mr. BADHAM, and Ms. KAPTUR.

H.R. 5303: Mr. BUNNING.
H.R. 5324: Mr. TRAFICANT, Mr. RODINO, Mr. ROWLAND of Connecticut, Mr. LAGOMARSINO, Mr. McGRATH, Mr. SMITH of Florida, Mr. GIBBONS, Ms. KAPTUR, Mr. PORTER, and Mr. LEHMAN of California.

H.R. 5329: Mr. BATES, Mrs. BENTLEY, Mr. DIOGUARDI, Mr. ACKERMAN, Mr. LENT, Mr. FAZIO, Mr. GOODLING, and Mr. MOORHEAD.

H.R. 5338: Mr. JEFFORDS, Mr. JONTZ, Mr. MORRISON of Connecticut, Mr. PEASE, Mr. SLATTERY, and Mr. VENTO.

H.R. 5376: Mr. HILER, Mr. OLIN, Mr. JONES of North Carolina, Mr. HORTON, Mr. BAKER, Mr. SLATTERY, Mr. JONTZ, Ms. KAPTUR, Mr. LEHMAN of California, and Mr. PARRIS.

H.R. 5394: Mr. ACKERMAN, Mr. MRAZEK, Mr. BATES, Mr. DELLUMS, Mr. DAVIS of Illinois, Mr. McCURDY, Mr. STRATTON, and Mrs. BOXER.

H.R. 5402: Mr. GUNDERSON.
H.R. 5410: Mr. GAYDOS, Mr. ACKERMAN, Mrs. BENTLEY, Mr. ECKART, Mrs. BOXER, and Mr. ERDREICH.

H.J. Res. 321: Mr. PAYNE.
H.J. Res. 516: Mr. EDWARDS of Oklahoma.
H.J. Res. 537: Mr. BADHAM and Mr. KLECZKA.

H.J. Res. 554: Mr. PICKLE, Mr. DINGELL, Mr. CROCKETT, Mr. TRAXLER, Mr. MARTINEZ, and Mr. ROSE.

H.J. Res. 575: Mr. ACKERMAN, Mr. AKAKA, Mr. BURTON of Indiana, Mr. BUSTAMANTE, Mr. COATS, Mr. DANNEMEYER, Mr. DOWDY of Mississippi, Mr. GALLO, Mr. GILMAN, Mr. HALL of Ohio, Mr. MCCOLLUM, Mr. MOLINARI, Mr. PRICE of North Carolina, Mr. COSTELLO, Mr. RAVENEL, Mr. ROSE, Mrs. ROUEMA, Mr. SCHAEFER, Mr. SHAW, Mr. TAUZIN, Mr. THOMAS of Georgia, Mr. VALENTINE, Mr. VANDER JAGT, Mr. WEISS, Mr. MOORHEAD, Mr. CRAIG, Mr. SLAUGHTER of Virginia, Mr. GEKAS, Mr. BILIRAKIS, Mr. JEFFORDS, Mr. BOEHLERT, Mrs. VUCANOVICH, and Mr. SIKORSKI.

H.J. Res. 607: Mr. ANTHONY, Mr. ATKINS, Mr. AU COIN, Mr. BATEMAN, Mr. BENNETT, Mr. BOEHLERT, Mr. BOLAND, Mr. BORSKI, Mr. BRYANT, Mr. CARPER, Mr. CLAY, Mr. CLEMENT, Mr. CONYERS, Mr. COOPER, Mr. COYNE, Mr. CROCKETT, Mr. DAVIS of Michigan, Mr. DELLUMS, Mr. DERRICK, Mr. DEWINE, Mr. DIXON, Mr. DONNELLY, Mr. DOWDY of Mississippi, Mr. FLIPPO, Mr. FROST, Mr. GEPHARDT, Mr. GILMAN, Mr. GRAY of Illinois, Mr. GRAY of Pennsylvania, Mr. GREEN, Mr. GUARINI, Mr. HALL of Ohio, Mr. HAMMER-SCHMIDT, Mr. HANSEN, Mr. HAYES of Illinois, Mr. HAYES of Louisiana, Mr. HEFNER, Mr. HERTEL, Mr. HOCHBRUECKNER, Mr. HOYER, Mr. SOLOMON, Mr. SYNAR, Mr. TAUKE, Mr. TAUZIN, Mr. THOMAS of Georgia, Mr. TORRES, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. TRAXLER, Mr. UPTON, Mr. WATKINS, Mr. WHITTAKER, Mr. WOLF, Mr. WOLPE, and Mr. YATRON.

H.J. Res. 636: Mr. CROCKETT, Mr. PANETTA, Mr. RAHALL, and Mr. KASICH.

H.J. Res. 656: Mr. STUMP, Mrs. SMITH of Nebraska, Mr. BADHAM, Mr. WORTLEY, Mr. BEREUTER, and Mr. IRELAND.

H.J. Res. 661: Mr. ASPIN, Mr. BROWN of California, Mr. CARPER, Mr. HALL of Ohio, Mr. HOUGHTON, Mr. JACOBS, Mr. LOWRY of Washington, Mr. MANTON, Mr. MILLER of California, Mr. MILLER of Washington, Mr. MOLINARI, Mr. PEPPER, Mr. RIDGE, Mr. SEXTON, Mr. SHAW, Mr. SISISKY, Mr. SMITH of New Jersey, Mr. SMITH of Florida, Mr. STARK, Mr. TALLON, Mr. TRAFICANT, Mr. WALGREN, Mr. WYDEN, and Mr. YOUNG of Alaska.

H. Con. Res. 160: Mr. CHAPMAN, Mr. BAKER, and Mr. BEREUTER.

H. Con. Res. 276: Mr. MOORHEAD, Mr. FUSTER, Mr. SAVAGE, Mr. OWENS of Utah, Mr. DOWDY of Mississippi, Mr. SABO, Mr. FORD of Tennessee, Mr. PICKETT, Mr. KANJORSKI, Mr. BRUCE, Mr. GORDON, Mr. FOLEY, and Mr. YOUNG of Florida.

H. Con. Res. 355: Mr. PENNY.

H. Con. Res. 365: Mr. CHAPMAN and Mr. GLICKMAN.

H. Con. Res. 371: Mr. AU COIN and Mr. LANTOS.

H. Con. Res. 377: Mr. HYDE.

H. Res. 546: Mr. ARMEY, Mr. McCURDY, Mr. BOULTER, and Mr. SWEENEY.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 387

By Mr. BURTON of Indiana:

—Page 9, strike line 13 and all that follows thereafter through page 10, line 12.

—Page 10, line 13, strike "(4)" and insert in lieu thereof "(3)".

—Page 10, line 17, strike "(5)" and insert in lieu thereof "(4)".

—Page 10, strike line 20 and all that follows thereafter through page 11, line 8, and insert in lieu thereof the following:

SEC. 5. METHODOLOGY.

In order to carry out the purpose set forth in section 2(a)(1), the Commission shall review all studies conducted by the Office of Personnel Management, the General Accounting Office, and the General Accounting Office (whether jointly or separately) since January 1, 1975, which compare pay scales of occupations within the Federal Government, especially those which are dominated by a particular race, sex, or ethnic group, and which analyze and attempt to explain any disparities evident in those comparisons. In addition, the Commission shall include a review of any Office of Personnel Management studies which compare Federal pay scales with free market wages, again noting any disparities.

—Page 11, strike line 9 and all that follows thereafter through page 12, line 4.

—Page 12, strike line 5 and all that follows thereafter through page 14, line 17, and insert in lieu thereof the following:

SEC. 6. REPORTING REQUIREMENTS.

The Commission shall, not later than 6 months after the date of its establishment, submit to the President and each House of Congress a summary of the findings and conclusions of the Commission, pursuant to its review of relevant studies and reports, with respect to differentials in rates of basic pay between or among occupations compared on the basis of sex, race, and ethnicity, including reasons for any disparities. This report shall also include recommendations for remedying any inequities.

—Page 14, line 18, strike "Sec. 8." and insert in lieu thereof "Sec. 7.".

—Page 15, strike lines 1 through 5, and insert in lieu thereof the following:

(b) ADVISORY NATURE.—Any findings, conclusions, recommendations, or comments of the Commission with respect to its review under this Act shall be considered to be of an advisory nature only.

—Page 15, line 6, strike "Sec. 9." and insert in lieu thereof "Sec. 8.".

—Page 15, strike line 13 and all that follows thereafter through Page 17, line 15.

—Page 17, line 16, strike "Sec. 11." and insert in lieu thereof "Sec. 9.".

—Page 15, strike lines 6 through 12 and insert in lieu thereof the following:

SEC. 9. FUNDING.

Before any provisions of this bill are executed, a specific amount of funds must be reviewed and recommended by the Appropriations Committee and approved by Congress.